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The Washington Monthly

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Letters

Behind Bars

I think that Charles Peters is confused when he refers to "our inefficiencies of the criminal justice system, not just because they are embarrassing, but they mean that too many dangerous criminals get away with it." What nation does he compare us to? The truth is that we convict and imprison more of our citizens than any other nation in the world. If he wants efficiency, the best way to get rid of dangerous criminals is not more prisons, it is sane gun laws. Criminals without guns are far less dangerous. It seems to me that, in a democracy, we should be more "embarrassed" about how many innocent people we send to prison than how many criminals "get away with it."

SANFORD THIER
Los Angeles, Calif.

Charles Peters replies:
I agree we imprison too many people for too long, usually easy-to-catch minor dope offenders, but that doesn't change the fact that too many violent criminals get away with it because of sloppy police work and inept or overworked prosecutors.

What About The Facts?

I read with interest and amazement Nicholas Thompson's March article titled "This Ain't Your Momma's CIA."

I must admit that I am completely astounded by what either I draw as journalistic naïveté or journalistic deceptiveness on matters of Military or National Intelligence and its internal structure and oversight.

To say that what the CIA did in Kosovo was just "centralize intelligence" is almost laughable. There are many more reports by both media outlets and by private commercial intelligence companies that provide an entire A-Z overview of how our intelligence apparatus worked with and on the Yugoslav democracy movement that is completely contrary to your article.

Additionally, it is total nonsense to believe that this movement was a grassroots campaign to oust Milosevic. Without Kostunica, this so-called democracy movement couldn't get itself elected to dogcatcher in Belgrade. The movement was so fractured that no one could get more than 50 percent of the vote. I find it hard to believe that a journalist like yourself reports on events such as these that are totally baseless in fact. It isn't whether it was the CIA or DIA, NSA, NRO, USAID (and more than likely all five combined), but the fact remains that the United States of America covertly or for that matter overtly overthrew a government.

What you should really be looking at is how the $50 million was spent or let's say how much went in the pockets of this so-called democracy movement and some of its leaders. To say that our intelligence operations must pass legal muster is also absolutely silly. Many covert operations indeed defy international law, just like the bombing of Yugoslavia did.

How about writing a story on why we are going after Milosevic, who by the way is a real bad guy, and not after Arafat, Saddam, and Quadaffi in the same manner. The latter three are responsible for the deaths of Americans and incursions outside their own borders, while Milosevic, indeed a bad guy, never killed Americans and never went outside his borders. Remember this was a civil war. Yeah, I know the old genocide route. Balderdash is exactly what the charge of genocide was! Yep, no mention of this in your article either.

Mr. Thompson in all seriousness, either report facts or get a job on talk radio where facts do not matter with many of the hosts.

LTC. JACK ALLAN, USA (RET.)
Hoboken, N.J.

Betrayed?

Your item in the Jan./Feb. "Tilting at Windmills" about the controversy surrounding the assignment of a civil servant to a foreign service slot at our embassy in Peru is, to use your words, "dead wrong." No one has argued that a foreign service officer is inherently more qualified than a civil servant. For you to mischaracterize AFSA's stance, and then use that straw man as proof of the legendary snobbery of the Foreign Service just isn't fair. FSOs who oppose the appointment (and not all do) make two arguments. First, we deserve to have first crack at diplomatic jobs not because we passed an archaic examination, but because we paid our dues working visa lines, uprooting our families every few years, contracting exotic diseases, and getting blown up, all the while advancing American interests.

Is it snobbish or is it reasonable to expect that the very few responsible jobs in attractive posts will go to qualified people who have dedicated their lives to the Foreign Service? It seemed reasonable to the State Department when it agreed with AFSA that such jobs should go to FSOs (if there are qualified applicants—and there were in this case). That is the second objection: The appointment violates the assignments rules negotiated by the bargaining unit of our professional diplomats. This may be the first time *The Washington Monthly* has come down against collective bargaining. Carried to its logical end, your piece essentially renounces the need for a professional diplomatic corps. If that is your position, fine, make the case, but don't smugly dismiss these genuine concerns.

You argue that an FSO's willingness to undergo hardship 24 hours a day and literally risk his or her life for our country should be discounted in the assignments process. Doesn't this contradict your deep conviction that government service is a worthy calling? Just this sense of vocation is what keeps a lot of us going out in the field, and for you (of all people) to call that into question is demoralizing. As one who subscribes to your magazine because your attitude toward government service is inspiring, I feel personally let down. The crack about Foreign Service snobbery is undeserved, denigrates those who are living what you preach, and perpetuates a false stereotype popularized by espionage

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potboilers and Hollywood. Please reconsider.

AN FSO IN CENTRAL ASIA
Name Withheld on Request

Strained Science

Congress owes thanks to Julie Wakefield for an excellent review on the demise of the Congressional Office of Technology Assessment (OTA) ("Flunking Science," Dec. 2000) and current discussion about its revival. May it provide food for thought in these putatively bipartisan times.

In the article, former Rep. Walker makes his nth repetition of his old canard that OTA reports were too late to be useful. While a few reports of the many hundreds issued over OTA's lifetime may have been delivered later than one might have liked, most were timely and many were highly useful to congressional decision making.

Walker's statement is particularly disingenuous (to be polite) because when he began issuing that apologia for his behavior in 1995, he was receiving a detailed analysis on the U.S. space program that he requested of my colleagues in OTA. That analysis, universally acclaimed as accurate, insightful, and timely, took less than five months to produce from inception to publication. It is difficult to think of any other organization in the world that could have done this, as well Walker knew and knows.

ANTHONY FAINBERG
Bethesda, Md.

Language Control

In your "Tilting at Windmills" column (Jan./Feb. 2001) you used the words "infatuated" and "overheated" to describe child abusers. This is no more accurate than "sexy" describes a rapist. The key emotion of pedophiles, rapists, and wife batterers is not lust, uncontrolled or otherwise. It is a desire for control.

LAURA BILLINGTON
Maple Valley, Wash.

Uncommon Ground

For someone who lived abroad during critical formative years, and therefore might be expected to be reasonably aware of differences, Michael Schaffer ("No More Fast Times at Ridgemont High," Jan./Feb. 2001) seems surprisingly naïve when he describes the "shared experience" of the pop culture American high school as portrayed in Archie comics and John Hughes' movies. Think about it: just who was being portrayed, and who did in fact share that experience? The answer should be obvious: overwhelmingly white, predominantly middle-class kids. As a white middle-class person who attended such high schools, I would bet that many poor minorities (and probably a fair number of lower-class whites as well) do not identify nearly so closely with these portrayals as Schaffer does. I also suspect that even the public high schools in Irasema Salcido's district do not closely resemble those Hughes-type high schools. Schools in poor districts are notoriously short on supplies, facilities, and all of those nice enriching activities typical of the suburbs.

To his credit, Schaffer does acknowledge that "America's schools regularly fail kids like the ones at Cesar Chavez." But I find his overstatement of the "common ground" high school to be disturbingly egocentric. And he speaks from very short historical perspective. Those American norms that he claims charter schools are breaking away from haven't been around so very long anyway. I prefer to think of the charter school pioneers like Salcido as historians reviving an older and more important American tradition, namely the return of the high school to its most basic function: to educate even poor youths into becoming productive, responsible citizens. If these schools are successful, then those young citizens will surely help unify our country in far more important ways than the dribs and drabs of pop culture.

CANDACE MAY PARIS
Clinton, New York

CORRECTION:

In our March article, "This Ain't Your Momma's CIA," Nicholas Thompson mistakenly identified Serbian Deputy Prime Minister Ratko Markovic as Ratko Mladic.

The Washington Monthly

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Tilting at Windmills

BY CHARLES PETERS

Snow Jobs • Giant Spies • Hungry Consultants
Jilted Lobbyists • Broken Bridges • Plus, How to Marry a Millionaire

AT LAST A VICTORY, ALBEIT A small one, in our campaign against cell phones. Amtrak has begun to offer "quiet cars" on some of its trains, a practice that has become customary in England, as one of our readers pointed out in a letter to the editor a few months ago. But so far, only a few Amtrak trains have a quiet car. The number of trains and cars should be expanded immediately so that most cars on all trains are quiet. In fact, why not put all cell-phone users in one car so that the only people they annoy will be each other?

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WHAT A BLOW FOR US SENIORS! I'm talking about the revelation by *The Wall Street Journal* that during the legendary run for the 1951 National League pennant, during which they came from 13 games behind with just 53 days left in the season, the New York Giants were stealing their opponents' signals. A Giant equipped with a small telescope and stationed at a window in the team's center-field clubhouse was spying on the opposition's catcher as he flashed his hand signals to his pitcher.

Why was this news so disturbing? Because the Giants' victory, capped by the legendary three-run homer by Bobby Thomson in the bottom of the ninth inning of the last game, proved that miracles could happen and for those of us who came of age in the 1950s era that was especially important. By and large, we were people who felt we had to accept a life of limited possibility, trading a chance to achieve the improbable for the security of a regular job and a gray-flannel uniform. But for many of us, the 1951 Giants etched in the back of our minds the possibility that we *could* achieve the improbable. I'm not sure I would have taken the gamble of starting this magazine had it not been for the lesson the Giants taught me. So you can see why we're upset—upset enough to want to argue that it isn't so.

Here's my case that the Giants would have won anyway. Remember that they could only have spied during their home games, but they won 14 of their last 18 away games. Bobby Thomson hit 13 of his last 15 home runs on the road. And the Giants were a better-rounded team than the Dodgers were that year: They had better pitching and the Dodgers had only one left-handed hitter in their regular lineup. This was essentially the same Giants team that won the championship in 1954. Well, you ask, if they were so good, why didn't they win in 1952 and 1953? The answer is that their best player, Willie Mays, was in the army.

The day after I wrote the foregoing, I read an article with a similar thesis in *The New York Times* of March 4. Written by Stan Jacoby, it contained a striking statistic: During the final 48 games, the Giants scored 4.95 runs as a visiting team; during the same period at home they scored only 4.27 runs. If the spy made a difference, it was to make the Giants worse not better hitters.

The lesson of all this is not that cheating is forgivable, but that miracles can and really did happen.

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WILL THE LOBBY STILL LOVE YOU when your party loses power? Not if you're Roy Neel. Until the Supreme Court's decision in *Bush v. Gore* undid Gore's half-million popular-vote victory, Neel had been the $600,000-a-year president of the United States Telephone Association, a job he had been given early in the Clinton-Gore administration. It appears he was asked to resign in 2001 for the same reason he had been hired in 1993. He had been a close associate of Al Gore's for more than 30 years and had served the Clinton White House as deputy chief of staff.

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THE SUBMARINE USS GREENVILLE went to sea on February 9 only because the Navy did not want to disappoint a group of civilians who had been invited as a public-relations gesture. This shocking fact, revealed by Steven Lee Myers and James Dao of *The New York Times*, means that it is the Navy itself that is primarily responsible for the disaster that occurred that day. Commander Scott D. Waddle still needs to explain why he chose to demonstrate the rapid surfacing procedure in crowded waters. And, of course, that enlisted man who had been tracking the Ehime Maru needs to explain why he stopped and didn't inform Waddle of his decision to do so. But the essential lesson remains: An operational decision by the armed forces should never be made for the sake of P.R.

I remember more than 40 years ago, my father was among a dozen or so West Virginians who were flown to Norfolk by the Navy and wined and dined with an admiral-escorted tour of a great carrier as the centerpiece of the weekend. One wonders how much money the Navy has spent on such excursions? How is it hidden in the budget? How much of

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a sailor's duty-time is devoted to public relations? A hint: For just the submarines in the Pacific fleet, far from all the vessels in the entire Navy, AP reports that there were 21 sea tours for a total of 307 guests last year alone.

The three admirals presiding over the hearing into the Maru sinking have all hosted civilians on Navy ships, according to *The Washington Post*'s Rene Sanchez. One described the hosting duty as "part of who we are as a Navy."

Why not put cell phone users in one train car so the only people they annoy will be each other?

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BEHIND THE MEDIA hype for a recession mentioned in our last issue, *The Washington Post*'s Peter Carlson explains, is the fact that "being an economics reporter during the longest peacetime expansion in American history is like being a weatherman in Southern California: You get tired of talking about sunny days and blue skies and highs of 72."

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DURING THE GOVERNMENT downsizing that was in vogue during the 1990s, there was a tendency to replace government workers with contractors and consultants. That this practice might not always save money is suggested by a recent audit in West Virginia. It found that four consultants hired by the state's Workers' Compensation Commission managed to spend $2,185 on food and drink at one "working" dinner at a Charleston restaurant. For just a week's worth of work, one of them billed the state $10,141. For the seven hours and 54 minutes two of them spent talking to each other on the phone, the state was charged $3,002.

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IN *BUSH V. GORE*, THE SUPREME Court expressed new ardor for the constitutional right to equal protection of the law. Assuming that the court will now consistently manifest that position in its other decisions, we commend to it the case of Curtis Reed. He is a District of Columbia police officer who was suspended for 75 days because he believed in equal enforcement of the law. His offense was that he gave a traffic ticket to another policeman.

Aren't policeman supposed to apply the law the same way to everyone? Apparently not when another cop is involved. Listen to the words of a police judge at a department hearing of Reed's case who, after Reed said he would ticket a fellow officer who ran a red light, even if he was a friend, remarked:

"That's the letter of the law. But we know ... there's professional courtesy extended. You're probably the only officer I know who conducts himself this way with other members of the department."

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SLEEPING SICKNESS, A DISEASE spread by the bite of the African tsetse fly, has an especially unpleasant characteristic: it drives people mad before it kills them. Around 300,000 people are infected annually. A drug exists that can treat the disease. It's called eflornithine, but it's been in short supply because it had no other uses and the drug industry is infamous for not making drugs that can only be sold in Africa. But now there's a good chance that a generous supply of the drug will become available soon. Why? It's been discovered to be effective in removing facial hair. But this happy outcome does not solve the underlying problem. We need a world health system to make sure that enough needed drugs are available to fight, if not all disease, at least those that are life-threatening to large populations. This is a problem that the market economy has failed to meet.

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IN JANUARY, "60 MINUTES" revealed that an Army officer, Lt. Col. Odin F. Leberman, had apparently told his maintenance teams to lie to keep the Osprey's readiness record from looking bad. Now comes Mary Pat Flaherty and Thomas E. Ricks of *The Washington Post* with the news that the colonel may have been responding to pressure from higher-ups. The *Post* reporters found evidence that both Maj. Gen. Dennis T. Krupp and Brig. Gen. James F. Amos had strongly hinted to subordinates that it would be wiser to make the Osprey's readiness records look better. And a general they do not name is quoted as asking an Osprey squadron to "figure out how to manage and minimize the impact" of records that showed poor Osprey readiness.

To anyone who has worked in government, this pressure to fudge figures to make a program look good is a sadly familiar tale. If you recall Michael Grunwald's exposé of the Army Corps of Engineers in *The Washington Post*, similar pressures were at the heart of the story. Perhaps the most infamous example were the lies and misdeeds in Vietnam that resulted from Robert McNamara's pressure for body counts and other quantifiable results. This problem is not confined to government by the way. It is also common in other organizations. The solution is that the leader of any organization must have a way of finding out what's really going on down below and a determination to face the true facts even when they show that his subordinates are lying in an effort to please him.

Colin Powell is one member of the new administration who shows some signs of understanding what a leader must do to get bad news. "I want to know when you're mad," he's telling his staff, according to Paul Bedard of *U.S. News & World Report*, who adds that Powell is trying to reach below his top advisers to seek

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facts from working-level State Department employees. Before Bush's trip to Mexico, Powell was briefed by four mid-level foreign service officers from State's Mexico desk. That hadn't happened at Foggy Bottom since the Kennedy administration.

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WHAT SELLS BOOKS THESE DAYS? Well, Random House is promoting *The Barefoot Contessa Parties!* with a fancy brochure headlined "Party, Hamptons Style." What is scary is that an expensive piece like this has usually been thoroughly tested by direct-mail experts who must have found that "Hamptons style" were words that sold. An anthropologist of the future will surely look back on this as an early warning of cultural decline at the beginning of the third millennium.

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MAD COW DISEASE MAKES ME nervous. I've read every article I've seen about the possibility of its spread to the United States. In most of them, the conclusion seems to be not to worry or at least not to worry too much. But stray facts in otherwise comforting stories cause my anxiety to persist. For example, according to *The Washington Post*'s Marc Kaufman, "Scientists believe [the disease] was spread in Europe by farmers feeding brains and spinal cords from infected cows and sheep to cattle as a protein supplement." As a result, the FDA in 1997 halted the practice of feeding bits of cows and sheep to American cattle. But here's the catch. The FDA announced last month, writes Kaufman, "that 28 percent of the rendering plants that grind cattle parts into bits were not able to entirely prevent 'commingling' of those bits with cattle feed."

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THE FDA IS UNDERFUNDED, AS this magazine has pointed out, especially in its ability to follow up on new drugs to determine if there are dangerous side effects and adequate warnings to patients if there are. The FDA is also underauthorized, meaning there are some things it should be doing but Congress doesn't let it do. Prominent among them is the regulation of dietary supplements like St. John's wort and ephedra. These supplements are now a $15.7 billion industry. Ephedra is an example of the harm they can do and of the powerful forces the industry can deploy to fend off regulators. It is an herbal stimulant that has been, according to *The Washington Post*'s Guy Gugliotta, "linked by federal and state officials to heart and nervous system damage." It also appears to have killed. Yet when a proposal to prohibit anyone under 18 from buying it was introduced in the New Jersey legislature, only one witness appeared in favor of the bill. He was a father whose son had dropped dead after taking ephedra. This industry is opposing such efforts, reports Gugliotta, with a combination of weapons, including high-profile ads to sway public opinion, high-paid lobbyists, and "increasing campaign contributions to influence and support friendly politicians."

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BEFORE WE RUSH TO CUT TAXES, one thing we should consider is the state of the nation's infrastructure. Bridges, for example, are in terrible shape. Federal highway investigators have found that 37,800 are "basically intolerable, requiring high priority of replacement." This news comes not from some liberal advocacy group but from the conservative *Washington Times*, which recently published another story saying that the total infrastructure needs of the country will require spending $1.3 trillion in the next five years. One hopes that the implications of these stories will sink into the minds of the paper's editorial writers who have been some of the most consistent cheerleaders for Bush's tax cut.

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NOW THE LATEST ON DRIVERS with cell phones. Incredibly, "85 percent of the nation's 110 million cell-phone users use them in some form while driving," according to the National Highway Transportation Safety Board study reported by *The New York Times*. And according to another study, this one by the University of Montreal's Transportation Safety Laboratory, "cell-phone users had a 38 percent higher risk of accident." The *Monthly* has two solutions. Either allow only no-hand speakerphones in cars, or better still, forbid all cell-phone use, except for 911 calls, by drivers of moving vehicles.

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WHEN I WENT TO SCHOOL, THE only beverage available was milk. Today, schools are filled with rows of vending machines containing a large variety of sugared and caffeinated drinks. Many of the schools have contracts with Coca-Cola and similar companies requiring them to sell a certain quantity. For instance, according to *The Washington Post*'s David Nakamura, High Point High School in Beltsville, Md., must sell 4,500 cases of soda a year. That's 50 cans per student. Candy vending machines are often next to the soda machines. At one Maryland school, Nakamura observed one student assembling a lunch consisting of a 20-ounce Pepsi, a honey bun, and a Twix candy bar. Another chose a Dr. Pepper, a bag of Cheetos, and a pack of peanut M&Ms. Why are the schools doing this? To raise money for various projects that the school system won't pay for. To the extent that the projects are worthy, I can't believe that taxpaying parents wouldn't prefer to have the school system pay for the projects and throw the vending machines out.

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ALTHOUGH WE'RE GENERALLY not excited by the new Bush administration, there have been a few good signs. One is EPA Administrator Christie Whitman's support of the Clinton administration's recent rules designed to reduce the amount of pollution from trucks and buses by 95 percent. Another is Bush's greater emphasis on reading at Head Start Centers, which we hope will be

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accompanied by a major effort to upgrade the overall quality of Head Start. Finally, on defense matters, we admire Bush's effort to unilaterally decrease the number of nuclear warheads and missiles. We don't need a treaty to tell us that we have far too many. And the administration's selection of Andrew Marshall to lead a Pentagon review of our weapons and how they relate to real needs is another good sign. He has had the courage to question the F-22 as well as our over-reliance on dinosaurs like heavy tanks and aircraft carriers.

For many of us, the 1951 Giants etched in the back of our minds the possibility that we could achieve the improbable.

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AS THE STORY OF THE MARC RICH pardon unfolds, what stands out for me is that the White House staff thought the pardon was dead until Ehud Barak called late on Clinton's last night at the White House. Why would Barak's call have such influence? My best guess is that it's because Clinton owed him big time. Clinton had hoped his Middle East peace plan would be the crowning achievement of his administration. Barak had gone out on a limb to support the Clinton plan—so far out that he cut himself off from most of the Israeli electorate. He had in effect sacrificed his career for peace—and for the president of the United States. In my experience, there's no debt a conscientious leader feels more acutely than the guilt occasioned by leading his troops into an ambush. It's not a good feeling to have led those who have supported you down a path that costs them—in Barak's case, his political life.

Clinton knew he couldn't grant Barak's other request, a pardon for Jonathan Pollard, so to at least do something to repay his and this country's debt, he gave him Rich. A bonus was that this would please a former aide, Jack Quinn, in addition to two dedicated contributors. And nothing is more richly satisfying to a politician than a sense that he has done the right thing while also taking care of his political debts.

Add the factor of fatigue. *Newsweek's* Debra Rosenberg reported how little sleep Clinton got during his final days in the White House. The fatigue was in large part the product of still another factor, this reported by Stephen Braun and Richard Serrano of *The New York Times*: Clinton was convinced that compared to presidents like Ronald Reagan and Jimmy Carter, he had pardoned too few people. He worried that the Justice Department was too slow and too spare in its recommendations for clemency. So he was pushing the White House staff and himself to handle more of the work. As the word got out that the White House was playing a larger role in the granting of pardons, applications poured in. Too much work and too little time produced fatigue and bad judgment.

Clinton's self-pity was, I suspect, the final factor. His view of himself as the victim of prosecutorial excess made him ripe for Quinn's argument that Rich was a similar victim, particularly since Quinn was able to cite respected law professors and Republican lawyers to support his case.

Much of Clinton's self-pity is justified—he *was* a victim of overzealous prosecutors—but so is the self-pity of most sane people. There is often good reason to feel sorry for yourself. But if we give into the self-pity, the result is usually behavior that is unattractive or unwise—or, as in the case of the Rich pardon, both.

"Unattractive" and "unwise" are, by the way, better words for Clinton's understandable behavior—a lot better than "criminal," "outrageous," or "corrupt," the adjectives favored by most of his critics.

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FOR WOMEN WHO ARE NOT content with giving parties like the ones in the Hamptons, but want to live there themselves, help is at hand. Ginie Sayles, the author of *How to Meet the Rich* is now conducting a seminar on "How to Marry the Rich."

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ANDREW MARSHALL MAY FIND that persuading the Pentagon to reduce its reliance on heavy tanks will not be easy. I realized this when I discovered in the last paragraphs of a long story in *The New York Times* that Donald Rumsfeld is an old friend of Frank Carlucci whose firm, the Carlyle Group, is a leading financial backer of the Crusader heavy tank, a $13.7 billion Pentagon program. Carlucci told the *Times* this about his relationship with the Secretary of Defense: "I know Rumsfeld extremely well. ... We've been close friends throughout the years. We were college classmates."

Even if appeals to alumni collegiality fail, the Carlyle Group has another managing director whose advice might be heard by the new administration: James A. Baker, George Bush senior's secretary of state and leader of W.'s effort to prevent a recount in Florida. If Baker can't do the job, Poppy Bush himself is a senior advisor to the Carlyle Group.

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HAVE YOU NOTICED HOW LOCAL television stations hype the danger of bad weather? One night, Channel 4 in Washington ran a teaser at 10:30 p.m. for the 11 p.m. news that said, "Temperature Plummeting, Snow Coming." The next day the temperature dropped three degrees and there was the faintest dusting of snow. Actually, if you'd stayed tuned through the 11 o'clock news, you would have guessed that. But the point of the teaser was to ensure you didn't switch channels and that the station's ratings stayed high as they always do when viewers are led to believe snow is coming. ●

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Gene Blues

Is the Patent Office prepared to deal with the genomic revolution?

BY NICHOLAS THOMPSON

IT'S EASY TO TRIP ON A YELLOW-AND-GREEN binder on the 12th floor of the United States Patent and Trademark Office's (PTO) biotechnology building. They're falling off the shelves, piled in corners, crowding every desk. Each represents a patent application and a claim to something new and special. Some come from wild-eyed, street-corner scientists; others come from more reputable sources. Grab a dusty file from the PTO's archives and you might just find a submission by a Thomas Edison. Increasingly, though, the shiny new binders arrive from large companies, packed with almost endless chains of the letters A, C, G, and T—sequences of the chemicals that make up our genes and control our bodies, from the thickness of our bones to our susceptibility to Tay-Sachs disease.

When these binders arrive loaded with genetic information, young men and women, often recent chemistry or biology PhDs, examine them against the PTO's requirements. The examiners initially reject most submissions but subsequently accept about half after the applicant makes suggested revisions. If approved, the submitting company gets 17 to 20 years of monopoly rights to that gene, depending on how long the application process took.

The consequences of this administrative procedure should inspire awe. Consider that at least four binders have come in, or are on the way, from rival pharmaceutical companies trying to patent the gene that creates beta-secretase, the enzyme that scientists believe causes Alzheimer's disease. Financially, the company that wins the patent battle stands to make enough money to buy Versailles. Ethically, it means a chemical structure that exists in all of us, and has evolved since life began to form in the oceans, gets entrusted to a company that probably didn't exist when Clinton was first elected president.

The winner might share the patent with the world, recouping research costs and taking a good profit. If so, a broad choice of affordable Alzheimer's drugs could come on the market. But the patent winner could also decide to shut down all research on beta-secretase by rival companies, universities, and public agencies. Then it could raise prices through the roof, making the drug inaccessible to most of the world, but maximizing its take from rich people willing to sell the family silver for a bottle of the pills. Public money funded much of the research that led to the discovery of beta-secretase, but neither the patent office nor any other branch of government seems to have any control over whether the patent is hoarded or shared.

Unfortunately, if prior work on Alzheimer's is any indication, we may be in trouble. In 1999, for example, Athena Diagnostics prevented laboratories from freely using a key gene at the core of an Alzheimer's diagnostic test and mandated that all tests be routed through Athena's own laboratories for a fee because the company controlled the patent. Subsequently, critics suggest, overall research on the gene may have slowed since many laboratories research the same genes they test for. Athena is now owned by another drug company, Elan, currently involved in a legal struggle with the nonprofit Mayo Clinic over the clinic's Alzheimer's research using mice containing a human gene patented by the company.

Elan is hard at work researching beta-secretase and its prior actions suggest it might well take a hard line if it earns a patent. According to author David Shenk, who is currently writing a book on Alzheimer's: "Elan is doing some spectacular research. But ethically, there seems to be a disconnect between its lab work and its legal agenda." Other companies are split the same way and, no matter which one gets the beta-sec-

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retase patent, restricted access will mean a lot of people staying sick longer than they should.

We are on the cusp of a medicinal revolution, fueled by a marvelously innovative pharmaceutical industry dominated by the United States. Most drugs work either by activating or disabling specific proteins. By figuring out the genes that create our natural proteins, we move one giant step closer to designing proteins that make us live longer and expunging those that make us fall ill. Pharmaceutical companies have only developed a few gene-based drugs, and there are several deeper layers of biological complexity to mine beyond the genome. But we are learning how to play with the building blocks of life and hurtling toward the day when we have genetic tests to determine which diseases we are likely to get, as well as drugs to cure all the ones we do.

In the midst of the revolution, the only government agency helping to define the market is the PTO, but the organization's mandate consists of little more than giving the thumbs up or thumbs down to applications. If an applicant can show that her invention meets four criteria—it's novel, useful, non-obvious, and fully-disclosed—she gets a patent, regardless of whether she's concocted a cure for cancer or a particularly potent cigarette, and regardless of whether she's going to share it. As Stephen Kunin, the PTO's deputy commissioner for patent examination policy, puts it, "our job is to call balls and strikes." Dealing with issues of accessibility "would be way outside the purview of the agency."

Unfortunately, the stakes are far higher than the World Series, and the key questions don't seem to fall in anybody else's purview. A crucial issue of public policy has been put into a legal and scientific box. That may not be the PTO's fault, but it's everyone's problem. According to Arthur Caplan, who serves on the ethical advisory board to Celera, "We have this space-shuttle biotech. But its navigation system is Santa Maria level in terms of the ethics."

From the Cotton Gin to the Genome

Developed in the 1790s, the goal of the U.S. patent system has always been to "add the fuel of interest to the fire of genius," as Abraham Lincoln put it. Patents give inventors the right to build fences around their inventions and make some money. As a tradeoff, inventors must show the world how they made their mousetraps, perhaps inspiring further innovation. Then, in due course, the fence gets taken down and the invention moves into the public domain.

Until 1980, there was a presumption that life forms could not be patented, but the Supreme Court reversed that in *Diamond v. Chakrabarty*, ruling that General Electric could patent bacteria genetically engineered to eat up oil spills. The court maintained in a 5-4 decision that "anything under the sun" is patentable so long as it meets the PTO's four main criteria of novelty, usefulness, non-obviousness, and full disclosure.

Even accepting the court's ruling, opponents argue that genes have always existed and patent applications on them should therefore fail the novelty test. Neil Armstrong couldn't patent the moon, for example, even though he got there first. But there's a legal way around that opposition: Nobody patents genes in their natural form. They've been removed from the body, copied, manipulated, and reassembled in a purified form with long strings of meaningless DNA removed. In the eyes of the courts and the PTO, a gene in that altered form is just another chemical compound. In 1998, then-PTO Commissioner Bruce Lehman said: "We are not patenting life. God, I suppose, has a patent on life. We are patenting technology."

And On The Eighth Day...

Until recently, the PTO only had to deal with a trickle of gene applicants. Now the industry is exploding. It used to take years for scientists in white lab coats to identify and isolate a gene. Now stacks of the most powerful computers on the planet do the job in just a couple of days. Consequently, the market currently resembles the scramble for Africa in the late 19th century, with rival explorers racing around trying to plant their country's flag on every available sand dune.

The rush to patent has also been fueled by the PTO. Initially, the office was tough on genomic patent applications. As biotechnology began to boom, the office had hired a team of young scientists with advanced degrees who instinctively held patent applications to the tough standards one would hold for a peer-reviewed scientific journal, or maybe even the FDA: Is the science completely sound? Will the drug be safe? Were the research methods credible? In 1995 though, Commissioner Lehman decided to give more leeway to industry, making sure that examiners knew they were, as he put it, "the patent office, not the rejection office."

There are about 30,000 human genes in the genome; about 1,000 have already been claimed, and an estimated 10,000-20,000 applications are pending at the PTO. Facing this onslaught, the PTO's rules were tightened at the end of the Clinton administration: Patent applications must now show a "clear, substan-

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tial, and specific" utility for their applications. A company can no longer receive a patent simply for finding a gene that might help a virus enter cells. The company has to say which virus and which cells. That change has been universally welcomed. No company wants a new drug torpedoed because another company fortuitously patented the key gene years ago without really understanding it.

The patent office has not, however, tackled the more important issue of how companies use patents. Patenting a gene and releasing it into the public domain, as the National Institute of Health now usually does, harms no one. Some private companies, Incyte Genomics for example, have also earned reputations for allowing other companies to use their patents widely and cheaply, in no small part because money can often be made just as easily with lots of companies paying small fees to use a patent, instead of a few companies paying astronomical ones. But not everybody's sharing. Myriad Genetics, for example, used its patent over a gene that served as an indicator of breast cancer to stop research on it at the University of Pennsylvania. Two years ago, in another well-known case, the Miami Children's Hospital received a patent on a gene for the rare Canavan disease that it had identified in one of its patients, Jonathan Greenberg. Without informing Greenberg, the hospital set out to block free Canavan tests offered elsewhere.

The patent office is our only instrument for policing the gene industry, but it's unarmed and patrolling on foot.

On the Beat

Right now, the patent office is our only instrument for policing the gene industry, but the agency is unarmed and patrolling on foot. According to Nicholas Godici of the PTO: "Congress passes the law. The courts interpret the patent laws. Once the determination is made by the courts, it is our job to administer that law." The PTO's only wiggle room comes when a court decision, having forced the office to adjust its rules and interpretation of statutes in some particular way, allows room for adjustment in others. The recently implemented "clear, substantial, and specific" utility guidelines come, for example, out of a court case in which the University of California sued Eli Lilly for patent infringement.

The PTO also lags somewhat on science. Smart, dedicated people work there; but most folks on the cutting edge choose to sequence genes themselves rather than approve or reject other people's work. Critics suggest that, before the recent rule changes, the patent office gave out a large number of patents on gene fragments, called Expressed Sequence Tags (ESTs), without grasping the scientific implications. According to biologist Donald Kennedy, editor-in-chief of *Science* magazine, "Among working scientists in the genomics area, there's a consensus that the patent office hasn't yet gotten it figured out."

But the office and the courts are bound by legal, not ethical, restrictions. Indeed, examiners may even find themselves implicitly more accountable to corporate applicants since many take their knowledge of the patent office's labyrinths and go work for industry's higher paychecks. According to Peter DiMauro, a former examiner, a fair number of the people who work at the PTO "use it as a way station. Then they get snatched up by industry." In addition, the PTO hosts quarterly round tables inside its headquarters with industry representatives to discuss patenting policy. The meetings are open to the public, but they serve mostly for patent examiners and executives to reason together. The PTO's corporate plan describes these as "focus sessions with customers to determine their needs and expectations."

Although part of the Department of Commerce, the patent office isn't a standard government agency with numerous political appointees and brutal budget battles every year with Congress. The PTO collects all of its budget through application fees required of every submission and it was recently designated by Al Gore's Reinventing Government program as one of the only two "performance-based" government organizations. As a result, the patent office structures its

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entire mission around a set of quantifiable goals—usually variations on processing applications as quickly and efficiently as possible. In fact, the PTO sees itself almost as much as a business as it does an arm of government and its corporate plan is peppered with business-school axioms. For example: "Like any other business that wants to be competitive in the 21st century marketplace, we recognize the importance of quality and customer satisfaction."

Reinvention has helped the office win points for increased efficiency and the office has made it vastly easier to file and research patents online. To companies, patent processing is always a hassle. But the complaints sound a little quieter now than a few years ago and the PTO seems to be fulfilling its goals. There's merit to that, but such assembly-line efficiency would be considerably more admirable if the PTO had a more-direct stake in serving the public interest.

Who's Who

By Susan Threadgill

An on-the-record confirmation of a scandal reported years ago in these pages is available in a new book, *The Great Phelsuma Caper*, by former ambassador **Robert Keeley**, who says that the mass-murderer **Idi Amin** had been a CIA "asset" before he ruled Uganda. This means that Idi Amin was a paid spy in the employ of the CIA. The confirmation by Keeley is of an item that had earlier been given us on a not-for-attribution basis by another foreign service officer who, like Keeley, had served in Uganda. It's amazing we won the Cold War. Our agents (remember that Guatemalan colonel?) specialized in killing innocent people while the Russian spies were majoring in stealing our secrets.

The Brookings Institution is fast becoming the Clinton Administration in exile, offering temporary shelter to former White House staffers **Gene Sperling**, **Andrea Kane**, **Lael Brainard**, as well as former Treasury officials **Lawrence Summers** and **Michael Barr**, and former HHS Secretary **Donna Shalala**.

The Senate has passed a resolution authorizing the Peace Corps headquarters building in Washington to be named for former Sen. **Paul Coverdell**. This has not set well with former Peace Corps volunteers and staff members. Many of them think the Peace Corps' founding director, **Sargent Shriver**, is more deserving of the honor. If a Republican has to be considered, they feel that the late **Loret Ruppe**, who ran the agency for eight years compared to Coverdell's two and who is generally considered to have been one of the best of all the directors, should be recognized. Shriver and Ruppe loyalists are working in the House to derail the Senate proposal.

As we now know, there was no truth to the story **Bill Clinton**'s guests on his last trip on Air Force One had vandalized the plane. An example of the many false reports that had appeared was a newspaper column by Fox commentator **Tony Snow** who said the aircraft "looked as if it had been stripped by a skilled band of thieves—or perhaps wrecked by a trailer-park twister." We have been unable to find a subsequent retraction by Snow, who had not displayed excessive restraint with his allegations: "Gone were the porcelain dishes, the blankets, candies—even toothpaste. It makes one feel grateful that the seats and carpets are bolted down." You would think he would have felt at least a twinge of embarrassment at his own flight of fancy—and perhaps at presidential grammar—when **George W. Bush** said, "all the allegations that they took stuff off of Air Force One ... is simply not true." Bush himself took several weeks to set the record straight. During that time, his spokesperson, **Ari Fleischer** gave the impression that the President was keeping quiet, not because the story wasn't true, but because he thought not commenting was a dignified way to handle the situation.

It turns out that we were handed a piece of apocrypha with last month's item about **Norman Mineta**'s being left off an invitation to a **Carter** White House honoring the Japanese Prime Minister because Carterites thought he was Italian. **Les Francis**, a former Mineta aide who worked in the Carter White House congressional relations office, tells *The Washington Post*'s **Al Kamen** that the story originated as his joking explanation of why Mineta had been inadvertently left off the White House invitation list until the last minute.

Speaking of the Clinton Adminis-

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Chaos Theory

From an industry standpoint, the problem with the current system is best understood if one thinks of upstream and downstream products. The downstream product is the actual drug sold at CVS or the genetic test conducted in a clinic. Upstream products are the test tubes, the original cell that's torn apart to look for the genes, and the genes themselves. Traditionally, the PTO has granted mainly patents to downstream products like actual drugs. By allowing patents on upstream products like genes the legal process has been turned upside down, with two major consequences. First, anyone who develops a drug or a clinical test has to look upstream to see whether anyone else had a claim on the genes used. Second, every company has an incentive to patent as many genes as possible. No one really knows how science will change, and having genes in the bank may

tration, *Washingtonian* magazine's **Kim Eisler** recently graded the Clinton cabinet. The only 'A' went to Education Secretary **Richard Riley**, and the only 'F' went to Secretary of Energy **Bill Richardson**, who was cited for "cavorting around the country laying groundwork for his vice-presidential hopes," while he "mishandled a crisis at Los Alamos laboratories and failed to foresee either sudden gas-price increases or the power crisis in California." As for Riley, "Even critics realized they were working with a true, honest, and devoted public servant."

You wouldn't think that **Bill Clinton** and **Karl Rove**, **George W. Bush**'s chief political strategist, would have much in common, but it turns out they have the same view of why **Al Gore** lost the electoral vote Here's how Rove put it: "We should have gotten our brains beat," and would have had Gore focused on "the extraordinary peace and prosperity."

Even though **Colin Powell** was chairman of the Joint Chiefs of Staff when we attacked Iraqi forces in Kuwait, he did not take part in planning the attack, according to *Newsweek*'s **John Barry** and **Evan Thomas**. Instead, then Secretary of Defense **Dick Cheney**, frustrated by Powell's foot-dragging, had gone around him to set up a secret group that came up with the "left-hook" plan that worked to expel the Iraqis. This may help explain the rivalry between Cheney and Powell reported in this space last month.

Paul O'Neill's decision to keep his $100 million in Alcoa stock and options has raised some eyebrows among ethics watchdogs. "Everyone in the administration will know that doing something nice for Alcoa is going to please the secretary of the treasury, one of the three or four most powerful figures in government," points out our staff ethicist, "and what's good for Alcoa is not necessarily good for the USA."

You would have expected that most Democrats would be wary of a former for-profit hospital lobbyist as the new head of the health care financing administration. But Sen. **Jay Rockefeller** (D-W. Va.) and Clinton Administration HCFA head **Nancy Ann Min DeParle**, while not agreeing on everything with **Tom Scully**, both feel he is a dedicated problem-solver who will try to improve Medicare instead of a conservative ideologue who will try to wreck the program.

Columbia University economist **Robert Glenn Hubbard** has been named by **George W. Bush** to head the Council of Economic Advisors. Many think that the job doesn't have the sway it used to enjoy when it meant that you were the White House's number one economist. That role is already being performed by **Lawrence Lindsey**, the head of the National Economic Council, but a **Rumsfeld-Cheney** situation may be avoided because Hubbard says he is "Larry Lindsey's very good friend." It seems they attended graduate school at Harvard together.

The final issue of *George*, the magazine founded by the late **John F. Kennedy Jr.**, lists the "50 Most Powerful Political Players." Number one is **Alan Greenspan**. What about our president? **George W. Bush** is number four, ranking below **Dick Cheney** and **Colin Powell**.

Illustration by John Kascht

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be useful for your own research, so your competitor can't screw you, or so you can screw your competitor. Unsurprisingly, everyone's suing everybody else to grab rights to potentially lucrative genes. Elan is suing the Mayo Clinic; the University of Rochester is suing Pharmacia over a gene crucial to Celebrex, a painkiller, currently one of the best-selling drugs on the market; Amgen just won a case against Transkaryotic Therapies, a much-smaller company trying to make a competitor to Epogen, Amgen's anemia-fighting blockbuster.

If an applicant passes the basic tests, she gets a patent—regardless of whether she's concocted a cure for cancer or a particularly potent cigarette.

From a public perspective, the problem isn't just that tests are being stopped, like Myriad Genetics' crackdown on breast-cancer screening, but that many tests aren't even getting started. Jon Merz and Mildred Cho, bioethicists at the University of Pennsylvania and Stanford, recently conducted a survey of laboratory physicians and found that one in four had abandoned a clinical test that they had developed because of patents, and almost half reported that they had not developed a test for fear that, the minute they cleaned their test tubes, a patent lawyer would come knocking. In a follow-up, Merz and Cho surveyed 100 laboratories to determine how they responded when GlaxoSmithKline was granted a patent over a gene critical to a screening test for hemochromotosis. Before Glaxo even decided to enforce the patent, 25 labs made a decision never to use it and five already using it chose to drop it. Even universities have been playing hardball, sending lawyers after companies and each other. In fact, as industry loves to point out, the same universities funding ethicists like Cho and Merz are actively trying to subvert each other and swipe company patents. "There are no real good guys at this point," says Cho.

In short, the current chaos isn't in anyone's interest except for lawyers, and one more dollar spent hiring lawyers to chase one another in circles is one less dollar to spend on research.

Clean for Gene

Even without the legal mess, there's a strong moral reason for government intervention. Gene patents are different from other patents. Biotech companies are not just putting fish genes in tomatoes to make them grow in cold weather; they're manipulating and owning parts of humans that have existed since well before the first hominoid speared his first antelope. Furthermore, all of the research, from the machines used to sequence genes to the actual structure of the genome, is based in large part on a $15-billion investment by the public in the National Institute of Health's Human Genome Project.

Congress should be the logical higher authority to hold responsible for meeting the challenges of the biotech industry. It oversees the patent office, sets the budget, and has the authority to change the patent laws. But no one should be holding her breath. Congress has taken a hands-off approach to the industry, arguing that what the biotech industry wants is good for America. That's not a wholly unreasonable assumption, and it certainly has created wealth for American industry—and members of Congress too. According to the Center for Responsive Politics, GlaxoSmithKline, for example, gave an average of $1,000 to each Republican on the Intellectual Property Committee while also greasing the Republican Party with more than $800,000 in soft money last year. Howard Coble, the ranking majority member on the committee, and a prime sponsor of recent industry-supported American Inventors Protection Act, received a nice $5,000 from Glaxo, along with $3,000 from Novartis.

Congress also usually moves slowly. If the House tried to overturn our gene-patenting rules, the entire genome could be patented by the time the bill waded through the swamps of committee hearings, riders, election-year politicking, and possible entanglement with the Congressional phobia of any issue remotely related to altering human life. Additionally, individual Representatives are poorly versed in the science—vastly worse than the PTO. One well-known genomics researcher recalls briefing congressmen on his work and asking where they thought the human genome was located. One-third answered correctly that it's in

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every cell. One-third thought it was in their brains, and one-third thought it was in their testicles.

Despite these shortcomings, however, Congress is still the only institution that can truly change the law, and the law definitely needs changing. Three years ago, Congress gave special patent protection to surgical procedures: A pioneer can patent a new technique for operating on someone's brain just to document that she came up with it, but she can't prevent other doctors from using the same technique. The rules on genetic patents need not be pushed that far. Industry needs a certain amount of profit protection because the massive investments needed to find new drugs far exceed the investments needed to develop most surgical techniques.

The solution isn't for Congress to take over the patenting process, passing rules left and right. Science has turned on the afterburners, and Congress can neither react as fast as necessary nor deal with the variation in the types of patent applications that will come as companies begin making drugs based on experiment with everything from gene fragments to protein folding patterns. But Congress can and should give PTO the authority and ability to issue conditional patents on human genes, deciding not just who should be granted patents, but how those patents should be used. The PTO understands the issues much better than Congress and can act quickly when needed; it just doesn't have the legal ability to do much right now.

The PTO should then take one specific step in the short run—non-commercial researchers should be given unlimited rights to use genes in their work—and develop long-term standards that allow biotech companies to make reasonable profits while also protecting the public interest. The period of exclusive rights for genes should be shortened—it's odd to give 20-year protection to a company that has existed for three years—and companies that do not develop licensing agreements with their competitors should be penalized, perhaps by having previous patents moved into the public domain. This would reduce uncertainty because companies wouldn't have to look upstream constantly. It would also probably reduce lawsuits by moving patenting away from a winner-takes-all system where lawyers can make the difference between a billion-dollar patent and collapse.

What Celera Could Learn from FDR

In its present form, of course, the patent office isn't up to the job. It doesn't have enough money and it doesn't have enough people with training in the scientific and licensing issues it will have to deal with. Genetic patent applications have ranged up to 400,000 pages long and the PTO needs to be able to hire more people. But the patent office is more than self-sufficient with the fees it charges for each application and it could easily grow either through increased fees, congressional appropriations, or just being allowed to keep everything it collects.

But moving the patent office to the center of the action would help in a more important way. As other agencies, from the White House to the Justice Department, have learned, the best way for the government to attract and keep talented employees is to make them feel like they truly serve the public interest—a viewpoint that would clearly increase if the PTO's role expanded. Patent examiners leave the PTO to go work for industry not just to earn more money but because that's where the action happens.

The patent office took a large step in a positive direction at the end of the Clinton administration, publishing a paper suggesting that the biotech industry consider pooling patents, with companies entering cross-licensing agreements sharing patents with competitors. The office couldn't enforce the paper because Congress hasn't granted it that power yet. But the suggestion does point out a future path. Although important issues of anti-trust need to be considered so that big players don't use pools to squeeze out the small guys, such an approach has proved an effective way of sharing information in the electronics industry. The most recent example came when DVD manufacturers from Sony to Hitachi to Time Warner agreed to share their patents, ensuring each can comply with DVD-Video and DVD-ROM standard specifications.

Perhaps the most germane example, though, comes from 1917 when a committee chaired by Navy Assistant Secretary Franklin Roosevelt pushed the country's airplane manufacturers to pool their patents. Previously, two companies had been hoarding patents, as some gene companies are doing today, preventing the government from building the planes it needed to fight the war. Roosevelt twisted some arms and made the public aware of the problem. With the patents pooled, we built the planes needed to win the war.

The stakes now aren't that much different. Europe isn't being overrun, but science is spilling into uncharted technical and moral territory. The probable benefits are awesome, but the ethical, moral, and legal issues need clear government action—starting with the PTO. Calling balls and strikes just isn't enough anymore. ●

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Memo of the Month

Laney College
Office of Instruction

MEMORANDUM

TO: Laney College Faculty, Administration & Staff

FROM: Dr. Audrey P. Trotter, Dean of Instruction

DATE: December 13, 2000

SUBJECT: Instructional Equipment and Library Materials Allocation of Funds

Laney College received approval for an allocation of ***$581,600*** in Instructional Equipment and Library Materials Funds for 2000-01. ***$559,295*** will be used to fund prioritized items one (1) though four (4) in Clusters I through VII. A balance of ***$22,305*** will cover estimated cost overages and equipment repairs.

The ***final*** Instructional Equipment and Library Materials Cluster lists were disseminated at the Laney Council Meeting on December 6, 2000 and the Department Chairperson meeting, December 7, 2000. Additional copies may be obtained from departmental managers. If you have not done so already, please work with the appropriate manager to initiate purchase requisitions prior to the semester break.

An opportunity exists for an allocation of additional funds in January 2001. If additional funds are approved, prioritized items five (5) through six (6) in each of the seven clusters will be funded. We remain hopeful and will keep you informed in order to expedite purchasing processes.

On behalf of the Laney College team, I thank you for your participation in this year's prioritization process. We look forward to our coming together in Spring 2001 for an evaluation of the Instructional Equipment and Library Materials Fund planning processes and the early implementation of planning for fiscal year 2001-02.

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AIDS Incorporated

How federal AIDS money ended up funding psychic hotlines, Neiman Marcus, and flirting classes

By Wayne Turner

"YOU MUST HELP US AGAINST THESE, these THIEVES!" demanded Jose Colon loudly, as a dozen or so members of Congress stared curiously from their dais. This was unusual testimony at an AIDS-funding hearing.

Colon's 10-minute address to the U.S. House of Representatives Commerce Subcommittee on Health and Environment last July marked the end of a long, painful journey. Colon, along with countless others, has been fighting for accountability in the use of federal AIDS funds. For him, that fight is deeply personal. Colon is living with AIDS; his partner of 17 years, Aramis, died in 1991, not from AIDS, but from neglect.

Colon, a resident of Puerto Rico, recalled for the committee how Aramis had contracted an opportunistic infection in his lungs and had sought treatment from a federally funded clinic, the San Juan AIDS Institute. Yet, Aramis was never able to get an appointment with his assigned doctor. Eventually, the infection overwhelmed him, and he ended up hospitalized.

Aramis' physician from the Institute, Dr. Jorge Garib, paid just one brief visit to his patient at the hospital, declaring, "You know you have a pneumonia that kills."

Then Dr. Garib abruptly left the hospital room and never returned. Several months later, Aramis died.

On the day Colon presented his testimony, a federal judge in San Juan sentenced Garib to the maximum 10 years in prison for his involvement in an embezzlement scandal at the AIDS clinic that rocked Puerto Rico and sent shock waves all the way to Washington.

During Garib's trial, and the trials of several other Institute officials, prosecutors outlined a paper trail of dummy corporations, off-shore bank accounts, payments for luxury cars, jet skis, cash pay-offs to the Institute's political benefactors, and for Dr. Garib, a personal maid—all using $2.2 million in federal AIDS funds.

Even the governor of Puerto Rico, Pedro Rosselló, was twice subpoenaed to testify, though he has not been indicted. A prosecution witness claimed Rosselló supervised the transfer of $250,000 in a shoe box from the Institute to support his 1992 election campaign.

Rosselló, who decided not to seek re-election, continues to deny involvement in the scandal. Yet prior to his election as governor, Rosselló ran the San Juan health department, administering the federal AIDS grants and hand-selecting the very AIDS Institute directors who now stand convicted of fraud.

The San Juan AIDS scandal was many years in the making, but the people responsible for ensuring that AIDS money is well spent did little but sit by and watch. A member of the Puerto Rican legislature, Rep. David Noriega Rodriguez, presented substantial evidence of AIDS fraud in a report to U.S. Health and Human Services Secretary Donna Shalala in May 1993, but received only a form letter in return.

The feds' indifference continued for years. According to the *San Juan Star*, Lawrence Poole, an HHS official responsible for monitoring federal funds distributed under the Ryan White CARE Act, admitted under oath in 1999 that his department continually paid millions of dollars to the Institute without ever receiving an accounting or financial report.

It took courthouse vigils in San Juan to force action on behalf of the victims. Colon and Anselmo Fonseca, who also lost his partner to AIDS, together formed Pacientes de SIDA Pro Politica Sana (AIDS Patients for Sane Policies) to demand more accountability in the use of federal AIDS funds for the poor.

At first, they were criticized for drawing attention to the scandal, mostly by employees of other AIDS agencies who feared the scandal could taint their own organizations. Despite political pressure, and even anony-

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mous threats of violence, their numbers grew as more victims of the scandal stepped forward.

For these patients and family members who watched their loved ones die, the five convictions and seven guilty pleas won by the U.S. Attorney's Office in Puerto Rico are little consolation.

The activists attempting to expose such funding abuses in Puerto Rico and elsewhere have been met with stony silence and even outright hostility, mostly from those who are supposed to be their strongest allies in the fight against AIDS.

Their experience shows that after a hard-fought 20 years, the AIDS epidemic has finally become a sacred cow. It is immune from budget cuts; even the Republican-controlled Congress has steadily increased federal AIDS funding, at times well beyond the Clinton administration's request. The Ryan White CARE Act, a $1.7 billion program, was unanimously reauthorized by the 106th Congress last year.

Named 10 years ago in memory of a teenager who died from AIDS, the act was originally conceived to provide emergency relief to low-income people with HIV and AIDS, to provide doctor's visits, medications, food banks, emergency assistance, and other survival services.

Yet lawmakers and the administration have done little to ensure that the money actually helps patients. Lax oversight of federal AIDS programs has permitted a rash of abuses from San Francisco to San Juan. While the money keeps rolling in to bloated nonprofit and government AIDS agencies, many patients continue to suffer with low-quality care, or no services at all.

Fraud Cases Mount

When Colon and his colleagues began citing the San Juan case as symptomatic of larger problems with federal AIDS funding, many Washington policy makers and AIDS organizations simply dismissed it as an isolated incident. Even worse, some hinted that it was just those "corrupt Puerto Ricans." AIDS groups who have taken great pains to stake out a benevolent image still refuse to acknowledge that the number of "isolated incidents" of fraud, mismanagement, and abuse of AIDS funds are increasing nationwide.

Just a few examples:

- In Texas, the FBI is currently probing a South Dallas AIDS clinic that misspent tens of thousands of federal dollars intended to benefit poor African Americans. A county audit of the former Margaret K. Wright Clinic discovered that shopping sprees to Neiman Marcus, home appliances, and psychic phone-line calls had all been billed to the Ryan White CARE Act.

The Wright clinic has been the sole source of AIDS services in North Texas for low income African Americans, who comprise the region's highest percentage of AIDS cases. "The FBI also is investigating allegations that the clinic bought expensive AIDS drugs that remain unaccounted for and applied federal funds toward treatment of patients who might not have existed," wrote the *Dallas Morning News* last year.

- Corey White, a bookkeeper for Central Florida United AIDS Resources in Orlando, Fla., was sentenced to 37 months in jail for embezzling more than $500,000 from the group, which provides assistance to AIDS patients needing housing and medications. According to investigators, White spent the funds on Disney tickets, hotels, and restaurants. Some months her credit card bills exceeded $25,000.
- In North Carolina, the State Bureau of Investigation (SBI) is probing a Johnston County AIDS organization after an audit revealed that James Wise, the director of Drugs and AIDS Prevention Among African-Americans (DAPAA), kept 10 percent of all Medicaid payments to DAPAA as personal compensation, and wrote himself checks totaling $13,300, according to the Associated Press (AP). "Between June 1996 and October 1997, DAPPA obtained $15,380 from another AIDS agency by saying the money would pay the rent for DAPAA clients at specific properties. Wise arranged to have the checks made out to his mother, who did not own the properties."

The SBI is also investigating Wise's wife, Janet, the assistant chief of the state's HIV/STD prevention section, who awarded $684,291 to DAPAA between 1993 and 1997.

- Years of complaints finally led to a state audit of the Los Angeles County AIDS housing program, funded by the Federal Housing Opportunities for People with AIDS (HOPWA).

The May audit showed that a whopping $21.8 million in federal grants to house homeless people with AIDS had accumulated since 1993 and remained unspent.

Michael Weinstein, president of the AIDS Healthcare Foundation, told the AP, "The program is in shambles ... and every dollar wasted is costing a life."

- AIDServe Indiana, the only state-wide agency providing assistance to patients with HIV/AIDS, "mismanaged hundreds of thousands of dollars, with devastating consequences for sick people," according to an investigation last year by the *Indianapolis Star*. While administrators diverted funds to help cover salaries and other operating costs, AIDServe owed thousands of dollars to dozens of landlords, pharmacies, doctors and

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dentists throughout Indiana. "Some are refusing to provide vital medical care, housing, and life-saving drugs to patients until they get their money," the *Star* reported.

The *Star* documented the plight of AIDS patients hounded by creditors for unpaid medical bills, facing eviction notices from their homes, or living under bridges. The State Health Department canceled all contracts in November and is now conducting a full audit of the group's finances. $175,000 raised during last October's AIDS Walk was seized by Fifth Third Bank in February to pay for an overdue loan to AIDServe, according to the *Star*.

AIDServe Indiana's president and chief executive officer, Mark St. John, wrote an op-ed last June defending AIDServe and urging the general assembly to increase the group's funding. Five months later, St. John resigned, admitting that funds had been mismanaged. The organization shut down in November.

While AIDS patients faced eviction from their homes and denial of medical care, HHS' Joe O'Neill found time to attend a conference in Rio between Ipanema and Copacabana beaches.

Conferences or Junkets?

The Washington adage that it's often the legal things that are the most scandalous applies all too accurately to federal AIDS funding. AIDS has spawned a rash of conferences that are little more than taxpayer-financed vacation junkets. The annual exodus every March to the AIDS Update Conference in San Francisco is unabashedly referred to as "Spring Break" by employees of East coast AIDS service organizations.

This unique AIDS industry perk is finally receiving some attention. *The Washington Post* last year exposed an AIDS "conference" held in St. Thomas, Virgin Islands at the Marriott Frenchman's Reef Resort Hotel.

The conference was convened by Joe O'Neill, the head of the HIV/AIDS Bureau at the Health Resources Services Administration—responsible for monitoring federal AIDS funds earmarked for patient care—who urged the invitation-only participants to attend the Caribbean confab using their Ryan White funding.

Although the conference was supposed to highlight HIV/AIDS in poor, developing areas, no local physicians, public health officials, or patients were invited. A *Virgin Islands Daily News* reporter was ejected from the conference cocktail party reception, along with his photographer.

While the clients of AIDServe Indiana faced eviction from their homes, HRSA's O'Neill found the time and resources to attend another conference in Rio de Janeiro, held between the beaches of Ipanema and Copacabana no less, and flew to London in December, just in time for holiday shopping.

Yet O'Neill told a congressional subcommittee last July that his department lacked the resources to adequately monitor and detect AIDS funding scandals.

Indeed, reported instances of funding abuses in North Carolina, Florida, California, Texas, Puerto Rico, and Indiana were all uncovered, not by HRSA, but by local auditors, journalists, and community activists.

Cap Salaries, Not Services

Service providers often justify the conferences and free trips to the beach as an entitlement to compensate for their status as "underpaid" poverty workers. Yet the administrators of some AIDS charities earn more than mayors, governors, and members of Congress.

The head of the San Francisco AIDS Foundation, Pat Christen, tops the list, earning more than $200,000 a year, according to the group's 1999 tax forms. In the District of Columbia, the area's second largest AIDS service provider, Food and Friends, paid $163,111 to its executive director, Craig Shniderman, in 1998, the most recent year for which documents are available.

One D.C. clinic continued paying its well-compensated director even after he resigned to become a city council member. When Jim Graham resigned as executive director of Whitman-Walker Clinic, he saw his $186,453 annual salary cut by more than half. Clinic officials came to Graham's rescue, with a $70,000 consulting contract. The *Washington City Paper* blew the whistle on the secret deal in February 1999, and the contract was withdrawn due to conflict-of-interest rules.

Graham did end up with a consolation prize of sorts. The clinic, which has waiting lists for its services,

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donated a roomful of designer Stickley office furniture to the new councilmember, because Graham couldn't tolerate his government-issued desks.

The cushy positions of some AIDS executives stand in stark contrast to the subsistence living of many HIV/AIDS patients, whose disability income can range between $500-$700 per month. Gaining access to services provided through the government can often be a Herculean task.

Programs like Medicaid or food stamps require applicants to appear in person and, in places like D.C., waiting in line can take all day. There is little accommodation for those with fevers, nausea, vomiting, weakness, and other symptoms of HIV.

This daily struggle for survival is only confounded by the intricate maze of repetitious forms, red tape, paperwork, and waiting lists created by the AIDS service providers.

Instead of streamlining operations, however, the AIDS service industry has created yet another layer of jobs. Several cities, including D.C., invented a new service category called "Access Advocates," employees to assist patients confronting the vast AIDS bureaucracy in gaining access to "Case Managers," employees assigned to assist patients confronting the vast AIDS bureaucracy.

There is a method to this madness. Groups receiving funds have a strong incentive to invest more in staff and overhead than in patient care, so that they are ready for the next grant cycle where infrastructure counts more than effectiveness.

San Francisco's *Bay Area Reporter* wrote last year about a man with AIDS suffering from chronic diarrhea, Terry Leone. Leone was denied a 95-cent adult diaper as he left San Francisco General Hospital and traveled home on a bus, soaked in his own excrement. He did have five CARE-paid case managers who instead of giving him a diaper, sent letters insisting he return in person to their offices to fill out forms to be "recertified" as a client. Leone didn't live long enough to meet the agencies' bureaucratic requirements. He died five months later.

Foxes Guarding the Hen House

AIDS agencies' burdensome emphasis on paperwork, often in lieu of services, is not surprising. People living with HIV/AIDS have little say in how their CARE dollars are spent.

When the Ryan White Act was first drafted in 1990, Congress created Title I planning councils, composed of locally appointed community members, to establish critical service priorities and oversee the allocation of federal dollars.

The councils were then mandated to reflect the demographics of the local infected population by including at least 35 percent people living with HIV/AIDS—an important win for AIDS activists who have long insisted that affected communities are their own best advocates.

The promise of full community participation and oversight in the allocation of federal funds never materialized, however. For the past 10 years, planning councils have been packed almost entirely with salaried employees, board members, and consultants to groups receiving Ryan White funds. They determine everything from funding priorities to who gets approved to join the council.

Council meetings can often resemble an episode of "Survivor," especially when the time comes to divide up the money. Competition is cut-throat, as members fight for their own service categories, sometimes forming alliances with other providers. It's usually clients who get voted off the island. Out of the 60 appointees on the D.C. planning council, there have been as few as three non-aligned members, i.e., people who aren't board members or employees of groups receiving the funds. Conflict-of-interest rules are rarely enforced, so that what could be an effective body of local watchdogs has become more like a group of hungry foxes guarding the hen house.

Health Care for Dead People

The annual local wrangling over who gets the biggest helping at the AIDS gravy train was mirrored last year during congressional re-authorization, pitting large, entrenched first-wave cities against new areas facing the rising tide of the AIDS epidemic.

Since 1990, Ryan White funds have been distributed according to a complicated formula that counts the cumulative number of AIDS cases within a jurisdiction, not the current number of living clients. As a result, San Francisco, which experienced a devastating death toll early in the epidemic, still receives twice the funds, per patient ($5,980), than other cities with a comparable caseload such as Chicago ($3,123) and the District of Columbia ($2,869), according to a General Accounting Office (GAO) report last year.

"The U.S. taxpayer has been funding health care services for dead people," said GAO Assistant Director Jerry Fastrup at last year's congressional hearing on the Ryan White CARE Act.

Funding inequities particularly impact African-American and other minority communities now facing the full brunt of the AIDS epidemic. HIV/AIDS patients in 17 states are on waiting lists or have restricted access to potentially life-saving medications under the AIDS

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Drug Assistance Program.

While thousands of patients have no access to life-saving pills, the CARE Act subsidizes frills programs such as San Francisco's AIDS Health Project, which, with $977,701 in Ryan White grants for FY 2000, features flirting classes and HIV bowling nights. In New York, the nation's oldest and largest AIDS service organization, the Gay Men's Health Crisis, provides hair styling and art classes.

Patients vs. Providers

A grassroots network of activists is fighting for greater equity in the distribution of AIDS funds and other reforms so that resources are targeted where they're needed most. The argument that geography should not determine an HIV/AIDS patient's ability to access medication and other services, however, faces fierce opposition.

After two decades of the epidemic, the bulk of the AIDS movements' political muscle is concentrated, not with patient groups, but with firms lobbying for AIDS service providers. Nonprofit AIDS agencies have invested millions of dollars in operations like AIDS Action and the CAEAR Coalition (Cities Advocating Emergency AIDS Response).

To compete with states and second-wave cities for funding, the CAEAR coalition hired a consulting firm called the Sheridan Group. The Sheridan Group, coincidentally, operates AIDSPAC, a political action committee that raises millions of dollars for federal candidates.

Not surprisingly, the bulk of AIDSPAC money goes to pay the Sheridan Group for its consulting services. The few campaign contributions AIDSPAC made were earmarked for CAEAR coalition allies, such as Rep. Nancy Pelosi (D-Calif.) and Sen. Edward Kennedy (D-Mass.). Both defended the specialized funding given to certain cities at the expense of HIV/AIDS patients living elsewhere.

The mass marches that once characterized AIDS funding battles in Congress didn't materialize last year during the Ryan White reauthorization. Paid industry lobbyists made their usual rounds on Capitol Hill in their Gucci loafers, pleading poverty on behalf of AIDS victims. The only opposition facing this well-oiled machine came from within.

Open warfare broke out over who gets the most money. San Francisco fought with Los Angeles, big cities with smaller cities; states fought the cities and each other, and rural areas fought urban areas.

Meanwhile, a loose-knit coalition of patient activists emerged with their own proposals, designed to bring greater accountability to the $1.7 billion federal program. Foremost among these was a proposal to cap salaries of top AIDS executives, so that no administrator of groups receiving Ryan White funds would receive a compensation package greater than that of the chief elected official of the jurisdiction wherein the group resided. In a city like D.C., where the mayor earns approximately $110,000 per year, the executive salaries of the area's leading AIDS providers would be cut by more than a third.

Such a proposal proved sufficient to unite the warring factions among service providers as only Sen. Jesse Helms could. Even a compromise version requiring just a public list of the top AIDS earners was quashed in committee.

With no PAC money, and the vigorous opposition of industry lobbyists, AIDS activists had an uphill battle to include reforms to the CARE Act. They found an unusual ally: conservative Dr. Tom Coburn (R-Okla.), co-author of the Ryan White CARE Act in the House. He was joined by Rep. Henry Waxman (D-Calif.) in incorporating accountability measures, proposed by patient activists, in the final version of the reauthorization.

These reforms require more consumers on planning councils, whose meetings would be opened to the public. New council members would receive training to ensure their effective participation, and a random sample of all Ryan White CARE Act programs will be audited annually by the federal government. These modest provisions, activists hope, will help strengthen patient participation and oversight at both the local and federal levels.

Challenges Ahead

Those who implement the CARE Act now need to place a greater priority on patients' needs, instead of the money-hungry AIDS industry. Turning that hope into reality poses significant challenges, however.

Congress, by finally providing oversight, can prove its commitment to AIDS victims by measuring their program's effectiveness, and not just its annual appropriation. Likewise, the mainstream media, now accustomed to featuring feel-good stories on fundraising events like the AIDS Rides, should follow their counterparts in the gay press by scrutinizing where the millions of dollars raised actually go.

Finally, people living with HIV and AIDS face the ultimate challenge, particularly those without health insurance and living in poverty. They can be the most effective watchdogs, yet their voices are so often silenced by a paternalistic AIDS care delivery system that seems to have forgotten just who it is meant to serve. ●

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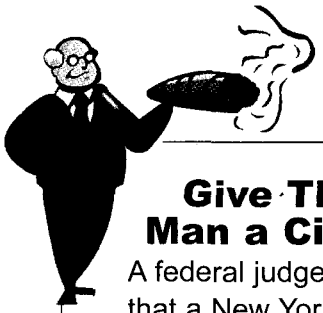
Tidbits & Outrages

Our children is in trouble

"You teach a child to read and he or her will be able to pass a literacy test," said George W. Bush during a speech at Townsend Elementary school.



Give That Man a Cigar

A federal judge ruled that a New York college student can sue a professor for repeatedly referring to her as "Monica Lewinsky."

Like a Virgin

The Wall Street Journal *reports that among the most popular forms of plastic surgery in Korea is the thinning women's calves and the replacing of 'lost' hymens.*

One Strategy the DEA never considered

Because of the California energy crunch, folks who grow marijuana indoors with 1,000-watt light bulbs are having financial difficulties.

With puberty and justice for all

State Rep. Ron Wilson (D-Tex.) is sponsoring a bill to lower the state's voting age to 14.

At least it will keep him from making another Conan movie

A grassroots effort is trying to draft actor Arnold Schwarzenegger as the GOP nominee for California governor in 2002.

It Went Over Well In A Focus Group

Al Gore has asked students in his journalism class to call him "Your Adequacy."

Special thanks to Doug Hecox

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Social Security

The liberal case for partial privatization

BY MAYA MACGUINEAS

DEMOCRATS ARE ALREADY LINING UP in opposition to the President's plan to reform Social Security. Bush has put forth only an outline of what he proposes to do—allow workers to use part of their payroll tax to fund private investment accounts, which, upon retirement, would be used to help augment Social Security benefits. Beyond that, the President intends to leave the specifics up to a bipartisan commission. But bipartisan commission or not, it appears that the president is in for one hell of a fight.

To liberals, privatization appears, at best, a risky gamble that would leave unsophisticated investors vulnerable to the perils of the turbulent stock market. At worst, it's a plot by anti-government radicals to entirely dismantle the Social Security system. Mainstream moderates who support privatization have tried to diffuse the visceral responses to the idea by developing friendlier labels. Still, whether it's "privatizing," "personalizing" or "capitalizing," most Democrats aren't buying it.

Certainly, many of liberals' concerns are legitimate. As Vice President Gore never hesitated to point out, investing in the stock market is risky. Many workers are unfamiliar with investing. The stock market does indeed seem like a dangerous place to park retirement benefits. For the many Americans who care about preserving a strong social safety net, risking the promise of a secure retirement is precisely the wrong way to go about reforming Social Security. Bush's pronouncement that he "trusts Americans to make their own decisions and manage their own money," does little to ease their minds.

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But the types of reforms many liberals favor instead, from means-testing benefits to lifting the cap on payroll taxes to increasing the retirement age, if taken alone, would not create a fully viable reform package. For one, support for the communal retirement system will erode if it is transformed into an overly redistributive welfare program. Second, when Social Security began, it was a tremendously good deal for earlier participants. People got out far more than they paid in. But the returns participants receive on what they pay into Social Security have declined precipitously and are now expected to be roughly one to two percent; for many, they will actually be negative. Increasing what is paid into the program or decreasing what is paid out, will only exacerbate the problems of the discouragingly low returns—increasing the generational inequities and tensions that already exist. Finally, even a package of benefit cuts and tax increases large enough to return the system to solvency in the short run would not do so in the long-run. It would simply postpone the problem.

Assuming certain concessions from Republicans, Democrats should embrace private investment accounts, combining the idea with traditional Democratic proposals. By recognizing the benefits private accounts have to offer, while structuring them to ensure that the risks are mitigated and the neediest retirees are protected, Democrats can, in fact, create a plan that would tackle not only the problem of the Social Security funding shortfall but that of declining returns head on. Republicans, at the same time, should be structuring their privatization plans to retain the progressivity so important to giving all the elderly security.

Searching for Compromise

The existing political standoff between the two parties does nothing to change the financial and demo-

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graphic realities facing Social Security. According to our best estimates, because of the upcoming retirement of the baby boomers and growing life expectancies, the dedicated payroll tax used to fund the intergenerational transfer system will no longer provide enough money to cover promised benefits starting in 2015. By 2037, the program will be running annual deficits of $300 billion in today's dollars; it will take an infusion of $4 trillion to pay full benefits between now and when today's 30-year-olds retire. And the problems will grow rapidly thereafter.

An undertaking as financially challenging and politically explosive as reforming Social Security will demand compromise. One obvious approach would be for President Bush to back off from the contentious private investment component of his plan and to work with Democrats on developing other options. But the alternatives are, frankly, quite bleak. The only two remaining approaches to keeping the system liquid are cutting benefits or increasing revenues, either from increasing taxes, diverting money from the rest of the budget, or borrowing through deficit spending.

To keep the program solvent for 75 years, the amount of time program actuaries use to judge its financial health, Congress will in the future have to slash benefits across the board by one-third, leaving Social Security a tattered remnant of what it is today. Although such a drastic cut would not harm wealthier retirees, it would be devastating to those who depend on Social Security for a substantial part of their income.

Alternatively, we could increase the payroll tax that funds the system to cover promised benefits. That would take an unpalatable 50-percent increase over time, and that's not counting the portion of the tax used to pay for Medicare. Since financial planners estimate individuals need to save roughly seven percent of their pre-retirement income to retire comfortably, the resulting 18-percent payroll tax would be clearly excessive, even considering the additional disability and survivor benefits the program offers.

Or taxes could remain unchanged and the money to pay for Social Security, which already consumes almost a quarter of the federal budget, could be taken from other areas of the government's spending. For instance, cutting the entire federal budgets for defense, science, the environment, and education would do the trick.

The final option, borrowing, would make the deficits of the past look microscopic compared to those we would run in the future, and it would drain the economy of savings, thus dragging down economic growth and incomes.

The difficulty of creating comprehensive reform plans that exclude private accounts is the reason there are no realistic alternatives floating around. A few years back, the Clinton administration, pledging to put Social Security first, proposed channeling new money out of general revenues into Social Security to be invested by the government in the stock market. Acknowledging the need to increase the program's returns, few Democrats voiced fears about the stock market then. In fact, at a 1999 White House conference on Social Security, Vice President Gore pointed out that "over any 10-year period in American history, returns on equities are just significantly higher than these other returns."

But while the stock market itself was not seen as a threat, the notion that the government would oversee the investment decisions was received about as warmly as the Presidential pardon of Marc Rich. Most politicians who initially flirted with the plan later recoiled from it in light of the inherent risks in intertwining financial markets and politics, not to mention the difficulties of the government investing a multi-trillion dollar fund without adversely affecting Wall Street.

Clinton quickly dropped the idea and, as *The New York Times* reported, Gore determined that "The magnitude of the government's stock ownership would be such that it would at least raise the question of whether or not we had begun to change the fundamental nature of our economy."

Generational Risk

While critics regularly refer to the market risks that would exist in an investment program, they ignore the risks in the current system, those spread between generations rather than portfolios.

Members of smaller generations have to pay far more in taxes to support larger, older generations, greatly reducing the returns they get from Social Security. Because these generational risks are less transparent, they tend to be overlooked in discussions about fairness and risk. But ignoring these risks promises to unravel support for the program from young workers on the wrong end of what has become simply a bad deal.

By allowing workers to invest a portion of their payroll taxes, they would, for the first time through Social Security, be able to save and invest and benefit from compounding returns. Assuming average returns of only five percent, lifetime workers could expect accounts with assets of anywhere from $100,000 to $600,000. Once the accounts had time to grow, they would be able to more than offset the benefit reductions needed to keep the program solvent.

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Addressing the Risks

There are legitimate concerns about the risks of pursuing higher returns, and a new system needs to be structured accordingly. For instance, partial privatization could present an opportunity for unscrupulous money managers to take advantage of unsophisticated investors, churning their accounts or robbing them of their assets the way many subprime mortgage companies fleece elderly homeowners.

Clearly, Social Security must not be turned into a freewheeling laissez-faire system with workers trusting their friend's second cousin to invest in commodity futures or currency swaps. Instead, the privatized part of the system should be structured like an employer-sponsored pension system, with workers choosing from a variety of government-regulated, well-diversified, professionally managed stock and bond funds. Few decry these types of savings opportunities as too risky; in fact, Democrats and Republicans alike encourage their expansion as a way to increase personal savings and wealth.

We should partially privatize Social Security, but it should not be turned into a freewheeling laissez-faire system with workers trusting their friend's second cousin to invest in currency swaps.

Government regulations can protect workers against charlatan money managers, but what about the roller-coaster stock market? Annual returns have ranged from negative 12 percent to positive 32 percent over the past twenty years. But while markets are rocky, diversified investments—as the Social Security investment options would be—have always been the best method to combat risk.

Furthermore, the perpetual year-to-year fluctuations are irrelevant. Market returns over one's working lifetime really count. The U.S. stock market has never failed to provide positive returns for any 20-year period going back to and including the Great Depression; the average return on the S&P 500 over that period was 12 percent.

The pronounced risk of recent years to workers who couldn't afford to save, (due in no small part to the payroll tax) has been far greater than anything the stock market has dished out. They missed the opportunity to build wealth while a booming economy doled out profits to those on the upper half of the income spectrum. Declaring the stock market too risky for the least well-off mainly ossifies existing wealth inequities.

While regulations will be instrumental in mitigating risk, no one should insist on regulating out all selection in investment choices. Workers will have a long time horizon over which to save, with different investments appropriate at different stages of life. Young workers would be more likely to choose higher-yielding equity-fund options, while those approaching retirement would be more likely to switch into safer bond funds. People shouldn't be forced to shoulder more risk than they choose. By making government bond and money market funds available, they wouldn't have to.

Investment vehicles structured particularly for retirement, such as funds that guarantee minimum returns, allowing participants to lock in their gains and guard against unwanted risk, like today's system, should also be included as investment options.

Additionally, Social Security's fundamental purpose —to ensure a decent retirement—should not only be preserved, it should be strengthened. A base benefit should be set to guarantee that the lowest-level benefits would still be higher than what today's system offers.

Under the plans being considered to partially privatize Social Security, the bulk of funding would continue to finance traditional benefits, not private accounts. Gradually folding in an investment component, initially using, for instance, only four percent of the payroll tax, would leave the other 8.4 percent of the tax to finance additional benefits for retirees, as well as disability and survivors' benefits. The traditional retirement benefit could be structured to provide a base-level benefit for all retirees or, better yet, a more generous one for those who needed them most.

Making Privatization Progressive

Liberals should insist that any privatization system remain progressive. Because private accounts would partly offset the current Social Security benefit, some of the progressivity built into the current benefit structure—where lower-earning workers receive larger benefits relative to their earnings—would be lost. The pur-

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pose of privatization reform plans should be to increase the efficiency of the system, not to lessen the progressivity.

Under a simple privatization plan saving four percent of earnings, workers earning $20,000 could expect to accumulate roughly $150,000 by the time they were 67, but someone earning $65,000 might have $500,000. The low-income workers' savings would certainly be higher than what they would be without the program, but they would still be far more dependent on the rest of their Social Security benefit to supplement their personal savings.

A better option would be a progressive privatization plan, with low-income workers' savings matched by the government. The savings of low-income workers could be matched by say 2-to-1, scaling down as income increased. Under this scenario, a $20,000 earner would retire with closer to $300,000. While government matches would cost more initially, decreasing poorer workers' reliance on the government-guaranteed portion of the system would more than make up for the cost over time. Some Republicans, notably Congressman Kolbe of Arizona, have developed bipartisan plans structured to help low-income workers that could serve as blueprints for compromise.

To be fair, partial privatization is not the panacea some claim. Mending a system running out of money is never easy. Even with the prospect of private accounts providing new funds and higher returns over time, additional measures will be necessary to keep the program solvent. It will take time to build up private accounts, and in the meantime, part of the payroll tax used to fund the current system will be diverted into investment accounts. Social Security surpluses can provide some of the money to fund both the current system and private accounts, but once the surpluses have abated, the system will need either benefit cuts or new revenues sources.

The Road Less Traveled

Though politicians on both sides of the aisle have promised to protect current Social Security benefits at all costs, it makes no sense to take changing the benefit structure off the table. If current beneficiaries are exempt from any adjustments needed to keep Social Security liquid, the entire responsibility will be shifted onto younger workers and future generations - regardless of their economic situation—who already face a far worse deal in Social Security than do current beneficiaries.

Of course, scaling back benefits should not be done through an across-the-board benefit cut, which would rip away benefits from the 60 percent of retirees who depend on the program for at least half their income. But means-testing benefits, or lowering payments for the wealthiest seniors, can easily be structured to protect the less affluent. This would spread the costs of reform among those who can afford them regardless of age.

Secondly, what every politician knows but few are willing to acknowledge is that we need to increase the retirement age. When Social Security began, life expectancies for 65-year-olds were for another 12 years; today they live for another 18. It is absurd for people to be living longer but still retiring at the same age as their grandparents. While the retirement age is gradually increasing to 67, it needs to be increased faster and then indexed to life expectancies. Disability benefits would still be available to anyone forced to stop working before the retirement age.

Critics will no doubt decry these changes as draconian and unfair. But without private investment accounts to fill in much of the funding gap over time, the changes will in fact, have to be much larger. Plans that don't include an investment component inevitably fall out of balance and run huge deficits in the long run.

Finally, the budget surpluses present a unique opportunity to ease the pain of keeping Social Security in the black. If the surpluses materialize as projected, the government will run out of publicly held debt to repurchase and have to pursue the discredited idea of becoming a massive owner of stocks and bonds. Avoiding this quagmire has become one of the newest justifications for large tax cuts. But using the surpluses for tax cuts, stimulating consumption, ignores the reason for reducing the debt in the first place: to increase national savings.

By using the surpluses instead to jump-start private investment accounts and to fund the progressive matches for low-income workers, we would have enough money to cover benefits and build new investment accounts. Moreover, we would ensure that the surplus dollars would still be saved, adhering to the successful fiscal discipline of the past decade.

To give this story a happy ending, Republicans and Democrats will have to cast aside their suspicions and recognize that neither side's concerns are misplaced. Partial privatization—if done right—can achieve liberal goals of equity and conservative goals of efficiency alike. There's plenty of room for compromise. Politicians will look for excuses to delay because there will always be hard choices involved, but the choices will only get harder with time. ●

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Theocracy in America

What Gentile life in Mormon Utah can teach us about church and state

BY STEPHANIE MENCIMER

IF THE GOVERNMENT HAD BEEN AS effective in eradicating religion from public life as George W. Bush likes to insist it has, the Church of Jesus Christ of Latter Day Saints (LDS) would not have been able to turn public park benches into church pews. But that's pretty much what happened in 1998, when LDS leaders secretly persuaded then-Salt Lake City Mayor Deedee Corradini to sell a block of Main Street to the church for $8.1 million. The church had been coveting the downtown land for years, as it slowly snatched up all the real estate surrounding the Mormon Tabernacle, its religious capital.

Initially, the church said it would remove the street and build a landscaped park that would "bring a little bit of Paris to Salt Lake," complete with reflecting pool. The city planning commission approved the deal on condition that the new plaza be regulated as a public park. But the city council signed off on a slightly different proposal, which quietly granted the church exclusive rights to proselytize in the park and to keep out those it found undesirable.

As a result, people crossing the plaza on their way to Nordstrom can now be bombarded with religious brochures and broadcasts of LDS church president Gordon B. Hinckley droning on about the evils of "so-called gays and lesbians." Passersby, however, can no longer use the space to protest (as they did during the debate over the Equal Rights Amendment), listen to music, sunbathe, skateboard, smoke, or do any of the other things they used to be able to do on the city street and sidewalks. Mormon security guards will ensure that the poor schmuck smoking a Newport and sporting an "I'm with shithead" T-shirt finds another route to the mall.

I thought about those poor schmucks in January, when Bush announced his intention to create a White House office of faith-based initiatives. Bush believes that religion has been unfairly pushed out of the public sphere, and he created the White House office to ferret out roadblocks that prevent religious groups from receiving government money. As Bush railed against all the "obstacles" to religion in public life, I had to wonder if he'd ever been to Utah, where his walk to the mall could be accompanied by a voice-over from Prophet Hinckley.

Since Bush announced the creation of a federal religious office, we've heard a lot about Chuck Colson's prison ministry and the wonders of religious drug-treatment programs that could expand with some taxpayer dollars. A few civil libertarians have protested the constitutionality of mingling faith and federal funding, warning that prison inmates could be forced to read the Bible. But their worst-case scenario hardly signals the coming of the apocalypse. Plenty of nonbelievers, in fact, might actually see it as a good idea. At least inmates would be reading.

If you have lived, as I have, as a non-Mormon in a place whose population is 70 percent LDS, you would understand the *real* dangers in mixing too much church with state. I was born and raised in Utah, and my entire family still lives there. Every time I go back, from the minute I wade past the missionaries in the Salt Lake City airport to my first watered-down beer, I am struck by the fact that, while inmates may be able to duck Chuck Colson, the average Utah citizen has no hope of escaping the Mormons.

The world's sixth-largest religion and growing, the LDS church proselytizes relentlessly. If it fails to convert you in this life, it will try to get you in the next one by baptizing the dead. (Even Holocaust victims have not been spared this posthumous rite.) A financial and political powerhouse, the LDS church not only dominates most of Utah's social service agencies, but also the government, the public schools, and the media. It even runs the shopping malls. As a result, the church shapes the life of everyone who lives in Utah, Mormon or not.

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Modern Day Zion

Not everyone in Salt Lake was thrilled with the Mormons' "little piece of Paris." The American Civil Liberties Union (ACLU) and the First Unitarian Church sued the city, arguing that the deal gave the "indelible impression that the LDS church occupies a privileged position in the community" and blurred constitutional distinctions between church and state. So far, though, they haven't made much headway. But what did they expect? The federal judge hearing the case was a Mormon, hand-picked by fellow church-member Sen. Orrin Hatch.

The Mormons have been fighting Gentiles for control of downtown Salt Lake for more than an hundred years, and the Mormons always win. (Mormons call all non-Mormons—even Jews—Gentiles.) Salt Lake is their Holy City, after all, the capital of the religious state prophesied by church founder Joseph Smith.

Smith founded the LDS church in 1830, in upstate New York, after the angel Moroni supposedly led him to a set of golden tablets inscribed with the ancient account of the "lost peoples" of North America. Using a pair of magic rocks, Smith eventually "translated" the tablets into The Book of Mormon, a faux King James-style tome filled with names like Shiz, Ethem, and Ahah. Mark Twain dubbed the book "chloroform in print," but it captured the imagination of many pioneers in the New World—perhaps because it was so, well, American.

In his teachings, Smith told followers that the Garden of Eden had really been in Missouri, and that Mormons were God's only chosen people. Smith promised that they, too, could become gods in the next life and rule over their own planets through strict obedience to the church leader, and for women, obedience to their husbands. Something of a lady-killer, Smith also told women that sleeping with him was the path to salvation, hence the origins of the church's polygamist ways.

Because of his radical ideas, Smith and his followers were constantly attacked by anti-Mormon mobs, which eventually shot and killed Smith. After Smith's death, Brigham Young led the Mormons out West, beyond the borders of the United States, to create Smith's New Jerusalem.

Arriving in Salt Lake in 1847, Young founded Utah as a theocracy to insulate the Mormons from the evils of the outside world, which they fought off fiercely, even engaging in a minor guerrilla war with the U.S. Army. Despite attacks on the Mormon's polygamist ways, the church grew at a rapid clip, along with its business portfolio. In its quest for self-sufficiency, the church founded dozens of Utah businesses, department stores, and banks, and it essentially created the local political system. In 19th century Utah, it wasn't long before the church was the state.

The Saints Go Marchin' In

Drive around the Beehive State and you'll see the legacy of those early Mormon roots. The LDS church's real-estate holdings are extensive. All of Salt Lake's street numbers start from the tabernacle, which is the centerpiece of the downtown skyline. The Tab, as it's known, is ringed with church-owned property, including the historic Hotel Utah and the Salt Palace—the convention center and former home of the Utah Jazz. Zion's Cooperative Mercantile Institute (ZCMI), America's first department store, still exists today.

You can't go far in Utah without encountering an LDS church. The identical buildings resemble motels wearing church spires, and there are so many of them that they have numbers, like police precincts, rather than names. Many Utah desert towns are named after Mormon prophets like Nephi and Lehi. (Lehi is one of my favorites, not just because it was the backdrop to the Kevin Bacon movie "Footloose," but because the town leaders really *did* ban dancing after the movie came out.) The church's empire also extends to a good chunk of the local media, which ensures that most reporting on the church is predictably favorable.

Last year, the non-church-owned *Salt Lake Tribune* published a three-part series on the Mountain Meadows Massacre, a dark moment in church history when Mormon settlers slaughtered a group of emigrants from Arkansas in 1848. The church has long tried to downplay the events at Mountain Meadows, and official lore maintains that sympathetic Mormons had rescued the emigrants' children during the massacre. But in 1999, an anthropologist studying the bones from a mass grave at the massacre site discovered that many of the victims had been shot in the face at close range, including young children.

Adding to the scandal, the *Tribune* revealed that Utah Gov. Mike Leavitt (a descendant of one of the killers), had cut short the anthropologist's work and ordered the bones reburied in the desert to prevent further study. Not a word of the story appeared in the church-owned *Deseret News*, Salt Lake's other daily paper. And not long after the series, the church attempted to buy the *Tribune* as part of a hostile takeover—a move the staff believed was designed to silence the independent paper. The purchase is still in litigation.

Still, most first-time visitors don't fully understand the significance of the LDS church's presence in Utah

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until they go out to dinner and try to order a drink. Utah has some of the most convoluted liquor laws anywhere, reflecting the state's conflict between its desire to force the church's strict health code on everyone else and its financial and evangelical interest in luring tourists to the state. Booze is regulated tightly by the state's Alcoholic Beverage Control board. Four of its five members are male Mormon teetotalers. Significant changes in the liquor laws require approval by the state legislature, which is 80 percent Mormon. (Gentiles are a rare breed in Utah politics. Every single member of the congressional delegation is LDS.)

Living as a non-Mormon in Utah may be the closest a white person can come to understanding what it's like to be a minority in this country.

Bars can only sell beer with 3.2 percent alcohol (it's usually six percent). For anything stronger, you have to go to a private club, which requires a membership, and the drinks are carefully regulated with state-inspected meters. The system creates some of the world's weakest margaritas. Booze by the bottle is available only at state liquor stores, which are often located in isolated parts of town without much in the way of signage. My father still makes bootlegging trips to Wyoming or Nevada, where the borders are lined with huge warehouse stores that sell full-strength Mickey's Big Mouths and wine without the Utah sin taxes. (My sister claims many Utahans also keep post office boxes on the border so they can mail-order porn videos.)

The state liquor laws are the obvious product of the church's influence on Utah's political process. In the mid-1980s, one brave legislator sponsored a bill revamping the liquor laws but couldn't find a single senator to co-sponsor it. According to the *Tribune*, the church circulated a letter in the senate indicating that it didn't oppose the measure. As soon as the letter surfaced, all 29 senators co-signed the bill.

Stranger In A Strange Land

As you might imagine, being a Utah Gentile can be tough. In fact, living as a non-Mormon in Utah may be the closest a white person can come to understanding what it's like to be a minority in this country. My parents were well aware of this, having come to Utah as children. It's not that Mormons are bad people. They aren't. They have a church welfare system that is without rival, and their family focus makes Utah a safe place to grow up. There have been some great Mormon statesmen, too, such as Stewart Udall, John Kennedy's secretary of the interior. But the cultural differences between Mormons and Gentiles are significant.

While my parents made martinis and played bridge, the Mormons ate ice cream (Utah leads the nation in ice cream consumption) and played "Celestial Pursuit," the Mormon trivia game. Mostly, though, Mormons are reared to be part of the Thought Police, and their heightened sensitivity to moral infractions makes them rather humorless. Imagine living next door to the Osmonds.

Aside from the cultural differences, relations between the two groups have always been rather strained because of the aggressive proselytizing, and because the repressive religious culture tends to sear lasting psychic scars on outsiders.

My mother is still bitter about watching her non-Mormon high school friends march off to the Vietnam War while the LDS boys escaped the draft by becoming missionaries or fathers at 18. (That haunting memory recently prompted my mom to consult a Unitarian minister in a futile attempt to keep the Mormons from baptizing her into the LDS church when she dies.) My father still seethes when he recalls his best friend's family furniture store, burned by arson. They were some of my hometown's few Jews. Still, my parents stuck it out, in part because the state is, for all its weirdness, unspeakably beautiful.

We were one of only two or three non-Mormon families in our neighborhood. As such, the neighbors regularly sic'd the missionaries on us. We had what seemed like a never-ending stream of dark-suited young men ringing our doorbell. Kids would accidentally come by to collect tithes once in a while. (Mormons give 10 percent of their income to the church.) My father would try various schemes to scare off the missionaries, occasionally answering the door with a cigar in hand and his gut hanging out of a ripped-up

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Coors T-shirt, but that seemed only to encourage them.

Because Mormons have such large families, there were lots of kids in our neighborhood, but none of them played with us—at least, not for very long. When we first met them, Mormon children were friendly and would invite us over to their houses, where we could sneak a peak at the canned food and bottled water they had stored in their basements in anticipation of the apocalypse. They'd explain knowingly about their "Choose the Right," or CTR, rings, which little Mormon kids wear like secret decoders signifying their membership in a special club.

Eventually, they'd urge us to go to church with them. When I was seven or eight, I actually went once and was astonished to learn that the services lasted more than three hours, which was more torture than I thought any second-grader should have to endure. I never went back. Once the neighborhood kids decided we were lost causes, they disappeared.

My sister and I found companions in private schools, where our parents tried to shelter us from the influences of a religion that they considered a cult that preyed on the vulnerable. In our small town, the only private schools were parochial ones, so we went to St. Paul's Lutheran school, essentially a few dozen kids in a little red converted barn. Later, we went to St. Joseph's Catholic school. We weren't Catholic or Lutheran, but my parents figured there was less harm in the Hail Mary than the Book of Mormon.

Until I attended one, I didn't fully realize that Utah's public schools are essentially an extension of the LDS church. All junior high and high schools in the state of Utah are arranged so that there is a Mormon seminary building either right next door or across the street. Grade-school kids don't go to seminary, but they do go to "primary," a similar after-school program. Mormon students are allowed to take religious classes as part of their public education in these buildings.

There's been a great deal of litigation over this school set-up, dating as far back as the 1930s, but so long as the seminaries are on private land, there's nothing illegal about it. Allowing kids out for religious education during the school day has a pernicious effect on public-school life. So many kids leave for these classes that it automatically singles out the few non-Mormons who don't participate. For one year, I attended a public high school and frequently found myself abandoned in class along with a few Hispanic kids while everyone else trekked over to seminary.

The church stretched into public school life in other ways, too. In high school, I had Mormon bishops as teachers who never missed an opportunity to bring the church into class lectures. Prayers before every event were common and coaches often blessed athletes before sporting events. My swim team would collapse into a crisis if we were expected to compete in meets in Idaho or Wyoming on a Sunday. Many of the Mormon kids on my team honestly believed that if they swam on Sunday, the devil would create an undertow that would drown them. Graduation ceremonies were held in Mormon tabernacles, and school choirs sang Mormon religious songs.

Until fairly recently, many public schools annually celebrated "Missionary Week," when Mormon kids were supposed to come to school dressed up in the uniform of the LDS missionary—which they were all aspiring to be. Non-Mormons might as well have put big signs on their heads that read, "Convert Me."

Some of the school districts even used missionaries as "tutors." They were supposed to be doing math and other such studies, but the ACLU was flooded routinely with complaints from non-Mormon parents saying that their children were being subjected to religious indoctrination, and the practice was finally ended.

The social pressure to follow the Mormon kids just to avoid ostracism is intense. More often than not, non-Mormons just join in and eventually cross over all together. The system works quite well. I was safely inoculated both by my parents and by the more free-thinking Jesuits and Lutherans. But my cousin, whose parents were divorced when she was young, wasn't so lucky.

My cousin was essentially raised by her dad. A harried single parent, my uncle never shielded his daughter from the dominant culture. She went to public schools and became a cheerleader with all the other blond-haired Mormon girls. Last year, my uncle was totally shocked when, at 19, his daughter announced that she was getting married to a returned missionary she barely knew. It was God's will, as is her mission to start having children in a few months, even though she and her husband are college students, too poor to even rent an apartment. Her case isn't too unusual.

My cousin simply did what all Mormon women are trained to do in those after-school and seminary programs. Mormon men are required to serve two years as missionaries after they from graduate high school, and then to get married within six months of their return, and produce a baby within a year after that. Basically what happens, though, is that since they can't have premarital sex (or masturbate, for that matter), Mormon

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kids often get married just to get laid. Because the girls are often a few years younger than the boys, the system has the added benefit of keeping women really stupid. Early pregnancies usually put an end to their college education. The joke in Utah is that girls go to college to get an "R.M."—Returned Missionary.

I learned the drill years ago after working with Mormon girls at Hot Dog on a Stick in the Ogden City Mall. One colleague moved her wedding date up three times just because the dry humping was getting out of hand. She had her first kid at 19.

It's kind of eerie, actually, how young the mothers are in Utah. No one seems scandalized by it, since most of them are married, but there's something really unnerving about a place where teen pregnancy is by design—and even encouraged by the church. (The age of consent for marriage in Utah is 14, and when some legislators recently tried to raise it, they encountered stiff opposition.)

Because of this particular aspect of Utah's culture, my mother lived in mortal fear that my sister and I would become pregnant before we were old enough to drink. Ever vigilant, she grew increasingly militant in her lectures to us about staying away from boys, getting an education, and her support for legal abortion. There was no doubt about the outcome of a teen pregnancy in my family, even if it meant driving to California to get the job done.

In George W. Bush's worldview, most of the Mormons' activities in Utah that sustain and promote church membership, like the after-school programs, should be encouraged, even funded with taxpayers' money. But in Utah, it's hard to see why the Mormons need any encouragement. The Establishment Clause is a thin reed standing between the church and its total domination of Utah. That and the ACLU.

The Utah ACLU is a busy chapter, and much hated for such things as its regular letters to small-town mayors reminding them that it is illegal to prohibit city recreational activities on Monday nights just because that's when Mormons are required to have "family home evening." The ACLU probably qualifies as one of Bush's "obstacles" to religious participation in public life, but if I still lived in Utah, I would give the ACLU every last cent I had.

Mormon control of Utah creates some of the world's weakest margaritas.

Growing Up To Be A Porn Czar

Utah has been the source of many yucks in the national press the past few months after the state's attorney general appointed a "porn czar." Paula Houston, a 41-year-old Mormon virgin, was tapped in February to become the nation's first "obscenity and pornography complaints ombudsman." Houston now spends her time viewing skin flicks and X-rated Internet sites to ferret out and prosecute those who violate the state's obscenity laws.

As a Mormon, Houston probably doesn't need much training for this particular job. The porn czar is simply a public manifestation of the priggish side of Mormon church culture, which aggressively seeks to shelter its members from sinful temptations and, more significantly, heretical ideas that might cause them to question whether the Book of Mormon is as fictional as an L. Ron Hubbard novel.

Church leaders, usually men as old as Methuselah, long ago created a Soviet-style cradle-to-grave indoctrination system that practically makes independent thinking a mortal sin. To keep people in line, the church sends out "home teachers" to visit members and not-so-subtly remind them of the eternal damnation they might suffer from falling down on the job.

To root out dissenters and other reprobates, the church has also established a security apparatus worthy of the Kremlin. It has infiltrated and spied on gay Mormon groups, rival polygamist clans, as well as historical associations seeking a less censored study of Mormon history. (It's no surprise the CIA has found Utah a fertile recruiting ground.) Those who publicly question the party line are excommunicated. More than one observer has noted the Orwellian parallels in the LDS church. The church's control fetish extends to the larger world, and frequently turns up in its crusades against smut.

Porn is an favorite villain of church leadership, and increasingly so as the Internet has made it privately accessible in people's homes. At the church's general conference last year, President Hinckley preached: "To you, young men and women, I plead with you not

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to befoul your minds with this ugly and vicious stuff. It is designed to titillate you, to absorb you into its net .... It will lead you into the dark and ugly."

Church followers have responded to the call with gusto. One state legislator recently moved to create criminal penalties for movie theater staffers who allow underage kids to get into R-rated movies. On President's Day, some 400 high school kids marched on the state capitol with signs reading "Porn—Heck No!" or "Scorn Porn" and chanting "1-2-3, choose decency." When interviewed by the *Salt Lake Tribune* about how they would describe porn, one student claimed it was "R-rated movies." Another said firmly that it was "Michelangelo's David."

Utah's holy war has bordered on persecution. In 1997, after a complaint from a concerned parent that her local video store, Movie Buffs, was carrying obscene materials, County Attorney Kay Bryson ordered law-enforcement raids on all of the chain's stores in the county. No matter that Larry Peterman, Movie Buffs' owner, had checked his materials with the local sheriff, and that the city council had signed off on his plan to stock "cable version" adult videos. The local prosecutor charged Peterman with 15 misdemeanor charges of distributing obscenity. He was tried twice before a local jury finally acquitted him. But the bad publicity and legal fees bankrupted Peterman and destroyed his business.

The anti-porn crusade is just the most recent example of how church edicts have become public policies in Utah. The church is highly intolerant of gays and lesbians. LDS church materials refer to homosexuality as a "perversion." The LDS church has pumped literally millions of its tax-exempt dollars into campaigns in Vermont and California to defeat gay marriage legislation. At home in Utah, though, the church has turned its anti-gay feelings into a very public mission.

For instance, in 1995, students at East High school in Salt Lake City attempted to create a gay/straight student alliance, which was immediately banned by both the school and the Salt Lake school board. Students sued, arguing that the policy was discriminatory as long as other extracurricular groups were allowed at the schools. A judge agreed. But rather than allow the gay student group, the Salt Lake School Board voted to eliminate all 46 extracurricular student groups in the school district, even the Young Republicans. It was the most extreme step taken anywhere in the country to outlaw gay student groups.

In 1998, a group of parents from the Nebo school district calling themselves "Citizens of the Nebo School District for Moral and Legal Values" filed a lawsuit trying to revoke the teaching license of Wendy Weaver, a lesbian psychology teacher. Parents claimed in the suit that Weaver's lifestyle violated the state's sodomy laws. (The only sex that isn't illegal in Utah is between married people.)

A judge allowed the group to pursue claims that Weaver also violated students' rights by having access to the women's locker room. The parents finally lost. Weaver, however, won a federal suit against the school district for violating her privacy and due-process rights after district officials told her not to discuss her sexual orientation with students, parents, or other staff members, and denied her a coaching position.

Live Free or Die

It's no small irony that the Mormons came to Utah for religious freedom, only to create a culture as repressive as the one they were fleeing. Obviously, the LDS church isn't the only religious institution in America to hold racist, homophobic, and misogynistic beliefs, but it is one of the few that have been able to impose those beliefs on a sizeable minority that doesn't agree with it.

President Bush believes that religion mingled with government will serve the public good, but I have witnessed first-hand how this forced faith creates its own sorts of pathology. You can see the reaction to Mormon domination in the underground punk scene in Salt Lake during the '80s, or the excessive drinking among Utah's non-Mormons, who cherish booze as a rebel's tool. It drove my mother's abortion militancy and the Gentiles' wholesale disdain for a group of people who, as individuals, should have gotten more consideration.

So many years of constant defensiveness against the Mormons' relentless proselytizing left me as intolerant of their views as they were of mine. I often reacted furiously against the claustrophobic culture that dulled the landscape like the smog-filled winter clouds trapped over the Salt Lake Valley. It took years away from Utah for me to unwind and begin to acknowledge that the Mormons do have some redeeming qualities. I've finally stopped barking at the missionaries on the flight home. Even so, I would never move back. My time in Utah taught me that the freedom of expression and the freedom from religion promised by the Constitution are precious things not to be given up lighty. I only hope that the rest of the country doesn't have to learn this lesson the hard way. ●

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Bandits on the Bayou

LOUISIANA USUALLY FINDS ITSELF AT the bottom of most national rankings lists: 48th in child poverty, 44th in teacher salaries, 50th in state bond ratings, 49th in safe water, etc. But it seems the state has finally found a list it can top: most corrupt public officials.

The Louisiana FBI office led the nation with 31 corruption cases last year, and three of the state's eight statewide elected officials were convicted of criminal offenses: former Gov. Edwin Edwards, former Elections Commissioner Jerry Fowler, and former Insurance Commissioner Jim Brown.

Brown, the third successive insurance commissioner convicted in federal court, was the sucker-punch. His predecessor, Doug Green, is still serving a 25-year sentence for taking $2 million in illegal campaign contributions. Green's predecessor in turn spent three years in the hoosegow after pleading guilty to extortion charges for selling insurance licenses. All Brown did was lie to the FBI during its investigation of his alleged misdeeds. Still, nobody's rushing to commend his regulatory management; Louisiana has some of the nation's highest insurance rates.

Louisianans are getting used to seeing their elected officials in prison blues. Former Louisiana Senate president Michael O'Keefe is serving a 20-year sentence for fraud and money laundering, and former state Sen. Larry Bankston just did 31 months on racketeering-related charges.

With its gumbo of impoverished residents and rich oil reserves, Huey P. Long's home state has never been a model of good government. Corrupt politics is as much a part of Louisiana as crawdads and kudzu. But when the oil market plunged in the '80s and the state opened the craps tables, things really got hanky.

Among the punters felled by gambling were the governor, his son, and the elections commissioner. The Edwardses were found guilty last May of extortion for shaking down riverboat gambling operators, and Fowler pled guilty in November to taking almost $1 million in kickbacks on voting machine contracts—largely to support his gambling habit.

With its low income and property taxes, Louisiana doesn't have much choice but to keep spinning the wheel. By year's end, Louisiana will be left without a single Fortune 500 company. When a desperately needed tax increase to finance a raise in teacher salaries was voted down, Republican Gov. Mike Foster decided to go with the gris-gris. Now, according to the *Louisiana Fax Weekly*, the raise will be financed through gaming taxes, and the gaming industry is showing teachers' unions how to lobby for it. —*Corine Hegland*

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Thought for the day

"Industry needs to think about how it treats people. How is it that a CEO can wake up one morning and say, 'We're going to lay off people?'

"How is it that you figure out that all of a sudden you have 5,000 more people than you need—and destroy the lives of those 5,000 people?

"We should improve relations with our unions and make work places more stable.

"People are our most valued assets. We shouldn't be laying them off; we should incentivize them to create value. Labor remains a small part of our overall costs."

From a speech by Peter Huntsman, President and CEO of Huntsman Corporation, Salt Lake City, addressing international business leaders at a conference in Singapore. Reported in *Chemical Week*, February 21, 2001.

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Rashomon in Mississippi

How Americans developed separate and unequal memories of race

BY MICHAEL HUDSON

THEY GREW UP AROUND DREW, Mississippi, a little "walk-everywhere kind of town" of perhaps 2,000 people surrounded by fields of cotton and soybeans. They came of age in the 1960s, chopped cotton under the same Delta sun, went to the same pep rallies, sat next to each other in class.

But in many ways Archie Manning and Ruth Carter Whittle grew up worlds apart—and to this day they're separated by race-shadowed, irreconcilable memories. He remembers Drew as a great place to grow up, a place where people didn't lock their doors and the police force consisted of a "day man" and a "night man," a department "more 'Andy of Mayberry' than 'NYPD Blue.'" The future pro football star knew "separate but equal" wasn't equal, but he never detected much animosity between the races.

She remembers a different Drew.

From the vantage of her family's sharecropper cabin outside town, Drew seemed frightening. She was afraid to be on the same sidewalk with those town cops. After she and her siblings broke the color line at Drew High School, classmates called them "niggers," smacked them in the head with spitballs and chalk, or treated them with silent disdain.

Memory is an imperfect thing, especially when it comes to race relations. Many blacks and whites find themselves at odds when they try to make sense of their shared histories. Denial, myth-making, and divergent experiences help keep blacks and whites stuck in discordant, misremembered pasts.

Manning: A Father, His Sons, And A Football Legacy, is not a book about race. It's an often-inspiring memoir of a half-century of family and football—the story of quarterback legend Archie Manning and his football playing sons, including Indianapolis Colts phenom Peyton, one of the National Football League's best young quarterbacks.

Archie Manning grew up in Mississippi, however, and race relations were a big enough issue in his mind that he devotes a good part of a chapter to the subject. The book, co-authored by Archie, Peyton, and journalist John Underwood, provides a glimpse at how one Southerner has grappled with the issue of race in a changing world.

Archie Manning starts by saying he's "Old South" and proud of it, but he's no bigot. He recalls black friends he made over the years. He says blacks "were the ones hurt the most by segregation" and integration was "right and inevitable."

But his memory seems dimmer when it comes to how hard blacks had to fight to end Jim Crow and how much they suffered for their efforts. When he looks back in anger, it's not at the hurts inflicted upon blacks, but at the wrongs inflicted upon him as a white Southerner.

In one passage, he recalls an NFL teammate who complained Manning was playing favorites, throwing more passes to whites than blacks. Manning blew up at the guy: "I was so mad because I was so right and felt so wronged."

Manning also writes about the Carter family. It was in 1965 that seven Carter children—from first grade through 11th—broke the color line at Drew's public schools. Manning says he had no problem with the family's racial trailblazing, but years later "the oldest girl in that family did something that still hurts." It was 1971. He had just completed his last season at Ole Miss and was headed for the NFL's New Orleans Saints. Drew invited him back for an "Archie Manning Day."

The marching band from the then mostly black Drew High had been asked to perform. But, Manning says, the band refused, and the director told him Ruth Carter was behind it, claiming Manning had been ugly to her their senior year. "There was no truth in it," Manning writes. "I was class president, I was valedictorian, and I considered myself a leader, and that would have been

Under review...

MANNING: A Father, His Sons, And a Football Legacy
by Archie Manning, Peyton Manning, and John Underwood
HarperCollins, $24.00

ME AND HANK: A Boy and His Hero, Twenty-Five Years Later
by Sandy Tolan
Free Press, $24.00

MICHAEL HUDSON, *a reporter with* THE ROANOKE (VA.) TIMES, *is working on a book about the history of race and sports.*

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the polar opposite of what I would have done. That entire year we had had nothing close to an 'incident' at Drew High. There were no KKK demonstrations, no scenes, no clashes. This girl didn't need defending over anything. I admit I have no absolute way of knowing if anybody ever said anything mean or derogatory to her, but *I* damn sure didn't."

Manning doesn't mention the offending classmate by name, but when I read this passage, I immediately knew he was talking about the Carters. A few years ago, I'd read a book about their story, *Silver Rights*, and interviewed the author, Constance Curry, and the family matriarch, Mae Bertha Carter. So I knew the Carters' account of their years at Drew High differed from the placid picture Manning paints—I knew that the girl who "didn't need defending over anything" went through hell in high school.

From Curry's book, I learned that after Mae Bertha Carter defied everyone by enrolling her children in white schools, someone sprayed bullets through their home. The overseer of the plantation where the family sharecropped demanded that she withdraw her children from school. She refused, and the family was booted off the land. The first day of school, the children were greeted by white hecklers who shook their fists and yelled: "Get back to your own schools, niggers."

I called Curry, who called Ruth Carter Whittle in Ohio. When a younger sibling, Gloria Carter Dickerson, visited from Michigan, the two sisters went to a bookstore, read Manning's book and shook their heads in anger. It was as if all they'd suffered had been erased from memory.

Ruth had felt the same way in 1981, when a *Sports Illustrated* profile of Manning had quoted a teacher who suggested the Carters had suffered no harassment; they "were simply ignored." Three weeks later, the magazine published a letter from Ruth asserting she could have told a different story had anyone bothered to interview her about her experiences.

When I talked to her on the phone recently, Ruth told me she'd had nothing to do with the band incident, and she'd never claimed Manning had said mean things to her. Actually, she explained, he did not speak to her in the two years they went to the tiny school together. She sat beside him in one class, she said, and "it was just like I wasn't there—like I was the chair."

That made him no different from the rest of her classmates, she said, but it seemed strange to her that a student who professed to be a leader wouldn't speak to a classmate, especially one who was being so obviously ostracized by her peers. (In the *Sports Illustrated* piece, Manning said, "I talked to her once or twice, but I wouldn't say I went out of my way to be friendly to her.")

Ruth's sister Gloria told me the worst days at Drew High were when classes were canceled and they had to go to the gym for pep rallies, where students were encouraged to get rowdy. "That was their time to really start talking about 'nigger this' and 'nigger that,' and 'you stink,' and 'nigger get out of the way,'" Gloria said. For years after, she would wake up sobbing from nightmares about Drew High.

It was Gloria—not Ruth—who caused the stir before "Archie Manning Day." By Ruth's senior year, almost all the whites in the school had fled to a private whites-only academy. For the first time, Gloria felt safe enough to participate in extracurricular activities. She joined the band. But when she was asked to play for Manning, she refused. She felt he was "part of the group. I didn't see him come forward and try to be friendly. And he didn't try to stop anyone from doing those things."

She believed she had no reason to honor him. "I didn't go out and protest," she said. "I just stayed home." Two friends joined her, she said, but the band *did* play at the event. The ceremony went off grandly, with townsfolk presenting Manning with a hulking Lincoln Mark III. And Gloria and her friends? They paid for their decision, she recalled. They were kicked out of the band.

I called Manning at his office in New Orleans and explained the Carter family's concerns about his book. He said diplomatically that he wouldn't argue with their recollections. "I've probably forgotten a lot of things." He recalls civil rights flashpoints at other places around the South, he said, but not in his school or his hometown. He was consumed with sports at the time, and integration controversies weren't something his parents discussed at the dinner table.

Manning's co-author, Underwood, said it's unfair to harp on decades-old events to suggest Manning is racially insensitive. Manning and the Carters simply remember those years through "totally different prisms, totally different perspectives," Underwood said.

I told Underwood I wasn't arguing that Manning is racist. I take Manning at his word that he is dedicated to racial equality. But it makes it all the more disquieting that someone who believes as he does would remember integration in his hometown (and in college sports in the Deep South) as a relatively smooth, almost painless process—no problems, no incidents, no big deal.

It reminded me of another book I'd read recently: Sandy Tolan's *Me and Hank: A Boy and His Hero, Twenty-Five Years Later* is the story of another great athlete, Hank Aaron, the man who had the gall to take on white America's most cherished sports hero by breaking Babe

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Ruth's home-run record.

Aaron came under intense scrutiny in the early 1970s as he closed in on the magic number of 714. In less than two years, he received 930,000 pieces of mail. Only American presidents have received more in a comparable period of time. Early on, the bulk of the correspondence snarled with racism:

"Dear Henry Aaron, how about some sickle cell anemia, Hank?

"Niggers are the same as apes and have the morals of an alley cat and are Parasites and the Scum of the Earth. You are not going to break this record established by the great Babe Ruth if I can help it. My gun is watching you."

Callers threatened to kidnap his children. The FBI guarded his oldest daughter at college in Nashville. "This is just the way things are for black people in America," Hank told the press. "It's something you battle all your life. If I was white, all America would be proud of me."

Yet when Tolan interviewed people about their memories of the home run chase, a troublesome split emerged. Blacks vividly recalled the hate mail and death threats. With a few exceptions, whites could only vaguely recollect the sense Aaron was a marked, despised man. "You know, I really didn't pay much attention to a whole lot of stuff like that," former Atlanta Braves pitcher Phil Niekro said. "I figured baseball was something where stuff like that didn't happen."

Historical context is often lacking when Americans look back at painful moments in the battle against racism. The retained story line is pretty simple: Sure, racism was bad, but a few brave men like the Rev. Martin Luther King and baseball's Jackie Robinson stood for justice, fought a courageous but brief battle against bigotry, and walls came tumbling down. No problem, no big deal.

From the distance of time, segregation seems so undeniably stupid and evil, it's hard to grasp its reality. It's easier to soften the memories, to recall the heroes in warm sepia tones, and to forget the ugly confrontations and decades of struggle it took to end American apartheid. Archie Manning, for example, recalls integration in Drew this way:

"The one incident I remember as a forerunner involved a group of white college kids who came to town one summer to organize Drew's blacks into exercising their voting rights. Drew didn't look too favorably on being invaded, likening it to carpetbagging, and the college kids were longhairs we called "beatniks" in those days, but as controversies go it really wasn't much. No fights, no arrests."

But integration in Manning's hometown did not come as peacefully as Manning recalls. The "incident" Manning cites was the Freedom Summer campaign, a massive, multi-racial effort to support homegrown activists who were taking on Jim Crow. Blacks weren't trying to exercise already existing rights; they were trying to win back rights that had been taken from them through violence, legal obstacles, and economic retribution.

When Archie Manning looks back in anger, it's not at segregation, but at the wrongs inflicted upon him as a white Southerner.

By early 1965, after years of struggle, just 155 blacks were registered to vote in Sunflower, Manning's home county—1.1 percent of eligible black adults. Eighty percent of whites were registered; they didn't give up their dominance without a fight.

During the summer of 1964, the Student Nonviolent Coordinating Council recorded several confrontations in Drew, including voter registration volunteers being confronted by gun-toting whites and dozens of civil rights workers getting arrested for "distributing literature without a permit" or "willfully and unlawfully using the sidewalks." Across Mississippi, churches were torched, homes were firebombed, and citizens were arrested, beaten, and murdered for challenging segregation. That doesn't mean that all white Mississippians were cross-burning bigots. But the race baiters did control the state, and few local whites were willing to challenge them.

Ultimately it was local blacks—not out-of-state whites—who turned the tide in Mississippi. Ruth Carter Whittle and a sister, Naomi Carter Granberry, were among 482 people arrested at a demonstration in Jackson, the state capital, during the summer of 1965. They were herded into makeshift jails at the state fairgrounds forced to sleep on bare mattresses, which were taken away at 5:30 a.m. The sisters say police used billy clubs to beat many detainees, especially young men with beards, who were told: "We'll have no damned Malcolm X around here."

As I paged back and forth between *Manning* and *Silver Rights*, I was struck by sadness.

Archie Manning was a small-town kid who graduated first in his class by sheer hard work, endured his

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father's suicide, suffered through injuries and defeats to become a football legend, then passed his work ethic on to his children.

Matthew and Mae Bertha Carter overcame poverty and a lack of education to raise 13 children—five of whom were forced to attend segregated schools, and eight of whom overcame the odds to integrate their hometown's school system. Before they died, the parents saw seven of their children graduate from Archie Manning's alma mater, the University of Mississippi.

The Mannings and the Carters are two great American stories, two Southern families with much in common. But they remain divided.

Archie Manning writes that "even the most avowed integrationist would agree that you can't always get from A to Z right now. That you have to go though B, C, D, et cetera, et cetera, to reach the level of empathy needed."

He's right. Putting our dark racial past behind isn't something that can be done overnight. But white Americans have to realize that the first step to healing is acknowledging that segregation wasn't just a theoretical wrong, that real people suffered real pain—and that many of the wounds have yet to heal. ●

The Washington Monthly

Journalism Award

FEBRUARY 2001

ED HILTON

NASCAR Idles While Drivers Die: Racing Officials Fail To Mandate Lifesaving Device

Orlando Sentinel, February 11, 2001

A six-month investigation into the complacent attitudes inside the NASCAR organization regarding driver safety, published one week before Dale Earnhardt's death. Unlike Formula One, Champion Auto Racing, and the Indy Racing League, NASCAR has repeatedly failed to participate in researching safety devices, enforcing safety precautions that are now standard on other race tracks, or disclosing the details of efforts they claim to be making to improve their own safety record. Chillingly, Earnhardt stood virtually alone inside the organization as an advocate for improving safety measures.

AMY WALDMAN

An American Block: Life on 129th Street

The New York Times, February 18-21, 2001

A series of three articles takes readers back to a Harlem neighborhood described by the Times *in 1994 as a place where "hope is swallowed by decay." In 2001, Waldman encounters the same block on 129th Street transformed by the economic boom and a surge of urban renewal. But along with vast decreases in crime and landscape improvements, have come rising rents and the encroachment of multiculturalism on a historically black neighborhood. The new and old residents are now being forced to grapple with their prejudices and disparate hopes for the neighborhood's future.*

BOB DAVIS

Crunch Time: President Owes a Lot to Two Economists You've Never Heard Of: Bush's Debt to CBO Shows Impact of the Forecasts from an Obscure Agency

The Wall Street Journal, February 27, 2001

Davis describes the incredible power two under-the-radar economists at the Congressional Budget Office, Robert Dennis and John Petterson, have to shape the national agenda through their economic growth forecasts. Their current estimate of economy's growth at 3.0 percent greatly strengthened President Bush's budget claims, even though, as Davis points out, the CBO analysts are frequently wrong.

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Taking Charge

Why we need to fund education federally and how we can do it

BY TED HALSTEAD AND MICHAEL LIND

GEORGE W. BUSH IS NOW THE THIRD president and the second Bush to claim to be our "Education President." Yet neither he nor anyone else can plausibly claim that title when less than one-tenth of school funding comes from federal sources, and when vast disparities between per pupil spending exist because of the antiquated link between school funding and state and local taxes.

As a result, America's education debate is as surreal as it is hypocritical. Our nation's leaders speak and act as though the future of American education will be determined in Washington, and routinely promise to make education reform one of their major priorities in office. Yet the actual role of the federal government in education policy remains minuscule. Local, state, and federal governments spent $348.9 billion on K-12 education in 1999-2000, of which a paltry eight percent was supplied by federal funding.

This means that all the grand pronouncements and national debates about vouchers, charter schools, national standards, class size, and teacher salaries are disingenuous to the degree that they presuppose a basic parity in school funding and a substantial federal role in financing education—neither of which actually exists. As long as the federal government contributes next to nothing to schools and the level of per-pupil funding is determined by the vagaries of local financing, the national politics of education will continue to be a politics of symbolism. A perfect example of the gap between reality and rhetoric is Bush's proposal to help poor children escape failing schools by offering them a voucher of $1,500, less than one quarter of the cost of educating the average child.

The future of our education system is too important to be left to ideology, timid thinking, or special-interest politics—which are precisely what Republicans and Democrats have offered up. If we are serious about improving our education system, then we have little choice but to confront this underlying cause of our education predicament and consider a genuine solution to it: equalizing school funding on a national basis.

Separate and Unequal

Our nation suffers from a troubled and class-stratified system of primary and secondary schools—which in effect means our public schools since a full 89 percent of American K-12 students attended public schools in 1999. Specifically, there is a split between our often top-notch suburban schools and our many dreadful and dysfunctional urban schools. The problem with American education is not a lack of overall school funding. To the contrary, we spend a greater share of our national income on K-12 education than any other advanced industrial democracy, with the exceptions of Canada and Denmark. The main problem is the extreme variation among school districts, rooted in our reliance on the link between school funding and property taxes, supplemented by state sales taxes. The traditional practice of funding schools primarily by such taxes results in dramatic disparities among states, cities, and even neighborhoods.

Per-pupil spending on education in 1998 varied from an average of $4,000 in Mississippi to more than $9,000 in New Jersey, even after adjusting for cost of living differences. And disparities like these are also common within single states. In Virginia, for instance, average per-pupil spending in Hanover County in 1997 was only one half of spending per pupil in Arlington County. Needless to say, such a wide chasm in the amount of money dedicated to each child translates into lower teacher salaries and hence less-qualified teachers, larger class sizes, and inferior facilities for schools on the losing side of this highly unequal playing field. These deep inequities

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only compound the disadvantages of class, culture, and poverty that already afflict our nation's inner cities, creating an environment that is even less hospitable to the process of learning. With educational institutions that reinforce rather than reduce the injuries of social inequality, is it really much of a surprise that so many of our inner-city schools are islands of despair?

The perverse design of America's current school funding mechanism is easy to illustrate. Suppose you have an impoverished inner city with a per pupil taxable property base of $60,000, neighbored by an affluent suburb with a per pupil property tax base of $300,000. The inner-city would have to levy a painfully high 10-percent property tax to raise the $6,000 per student that the suburb could raise through a mere two-percent property tax. To make matters even worse, the state and local property and sales taxes that are the backbone of today's school funding system are extremely regressive in their own right, meaning that they disproportionately burden the less well-off. The lower your income, the higher a share of your income typically goes to these taxes. When it comes to school finance, then, low-income Americans are doubly punished. Poor districts must impose higher tax rates to obtain the same amount of money that affluent districts can raise with low rates; and those higher taxes are often in the form of regressive property and sales taxes.

Recognizing these problems, a growing number of states have begun to equalize funding for local public schools on a statewide basis. Since 1971, when the California Supreme Court, in *Serrano v. Priest*, announced that the use of local property taxes to finance primary education violated the equal protection clause of the California constitution, 44 of the 50 states have been sued by plaintiffs on similar grounds. The supreme courts of 19 states have followed California's lead in holding that state constitutional provisions mandate the revision of public school finance to meet basic standards of equity. As a result of these lawsuits and the state legislation they inspired, by 1998 the proportion of educational funding provided by the states (48.4%) surpassed that provided by local districts (44.5%).

The logic behind these reforms was stated by the Vermont Supreme Court: "The distribution of a resource as precious as educational opportunity may not have as its determining force the mere fortuity of a child's residence." While these state-level reform efforts are encouraging, they do not go far enough and can sometimes lead to unintended disaster. Indeed, the experience of California illustrates the danger of equalizing education funding on a state basis without reducing or eliminating the link to property taxes. As Californians discovered in the wake of *Serrano v. Priest*, affluent property owners can all too easily be tempted to take part in revolts against increases in property taxes when such revenues are suddenly diverted to pay for schools in other districts. Many analysts blame Proposition 13, which restricts the ability of Californian localities to raise property taxes, with the decline of the state's once-great K-12 system.

Equalizing School Funding Nationwide

If a child's education should not depend on "the mere fortuity of a child's residence" in this or that county within a state, then surely it should not depend either on the child's residence in this or that state in the United States. If it is unjust and inefficient for school quality to vary wildly between rich and poor neighborhoods within a state, it is equally unjust and inefficient for school quality to vary between rich and poor states. "Most of the resource inequality cannot be solved at the state level," Education analysts David Grissmer and Ann Flanagan have observed in a report for RAND. "States spending the least are southern and western states that also have a disproportionate share of the nation's minority and disadvantaged students. Only the federal government can address this issue of interstate inequality in school spending."

The United States finances K-12 education in an extremely unusual manner. Among OECD countries in 1995, central governments accounted for an average of 54 percent of funding for primary and secondary education, seven times the rate in the United States, while regional and local governments split the rest. Although President Bush has recently proposed a slight increase in federal school funding, this would barely begin to address the magnitude of the problem.

A proposal to equalize school funding nationally is radical—in the sense that it tackles the root of the problem of national disparities in school funding—but it is the only way to ensure that all students across the country have access to a quality education on a relatively equal basis. The question of national equalization of funding ought to be debated before the more familiar but arguably premature proposals like national school choice and national school standards. The fact that the public, encouraged by many political leaders, erroneously assumes that the federal government already has a huge role in education funding provides all the more reason to make the question of how schools are financed the primary topic in the debate about educational reform.

We should make it clear that we are not proposing massive new federal funding in addition to present levels of state and local funding. Instead, we are proposing a change in the source of school funding, while keeping

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today's overall amount of spending on education at a similar level. The overall amount should be the subject of an important debate, but not the one we are trying to stimulate.

Finding A New Source of School Revenue

The new federal funding could come from any of a number of sources. The Nixon administration, for instance, considered creating a new federal sales or value-added tax to fund public schools, thereby reducing reliance on local property taxes (this idea was never acted upon). A federal sales or property tax, however, would be just as regressive as the state and local versions, and thus suffer from the same political liabilities. Indeed, a national property tax or sales tax to bring about national equalization of school funding might recapitulate, on a national scale, the unintended consequences of California's disastrous experiment.

A regressive tax, be it national, state or local, that falls heavily on middle-class and working-class voters is far more likely to trigger a tax revolt that succeeds at the polls than a progressive tax that falls disproportionately on the well-to-do, who for all their grumbling may fail to find many allies among the majority of the electorate. One way to achieve the goal of progressivity would be by paying for schools with revenues from the federal income tax.

We recommend yet another approach: equalizing school funding nationwide by means of a progressive national consumption tax. A person's annual consumption could be calculated based on a simple formula: income minus savings and investment (and, perhaps, some deductions) equals consumption. Unlike regressive sales taxes, a personal consumption tax can be made highly progressive by exempting a certain amount—say the first $15,000 of consumption—so that the average cost of basic necessities like housing, food, and transportation would be free from taxation. Naturally, the exemption level should be increased somewhat for each dependent. Because sales or property taxes do not differentiate between individuals with dependents and those without, our system would become more family-friendly in the process of becoming more progressive.

A new national consumption tax should be dedicated to paying for primary and secondary educational expenditures. But its benefits would not be limited to equalizing school funding nationwide or to making our whole tax system more progressive. In addition, it could also solve the growing Internet sales tax problem. That is, the revenues raised by a progressive national consumption tax could be used to replace state sales taxes as well as property taxes.

If it is unjust and inefficient for school quality to vary wildly between rich and poor neighborhoods, it is equally unjust for school quality to vary between rich and poor states.

The proliferation of e-commerce has made the case for replacing the state sales tax system all the more urgent. Members of Congress no doubt thought they were buying time to defer controversial decisions by enacting an Internet tax moratorium signed by President Clinton on October 21, 1998. But this moratorium inadvertently creates an artificial divide between brick-and-mortar businesses and Internet-based ones, which disadvantages the former in favor of the latter, and threatens the revenue base and hence fiscal solvency of many states. When you reflect that much sales tax revenue goes towards schools and education, the idea of maintaining the current sales tax system but exempting all types of e-commerce is simply perverse. The best solution is not just to level the playing field between "brick" and "click" industries, but rather to eliminate state sales taxes altogether.

Why not replace our fifty separate state sales tax systems with a single and simple progressive national consumption tax, whose proceeds are rebated to the states on a per pupil basis, thereby equalizing school funding while solving the Internet tax problem at the same time? This proposal would also serve another particularly timely public purpose by creating a bias in the tax code in favor of savings. To the extent that consumption taxes encouraged higher savings, they could increase the pool of capital available for investment, and strengthen our overall economy in the process.

Raised nationwide, revenues from this consumption tax would be distributed to the states on a per-pupil basis. For convenience, the IRS might collect the money,

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although the federal government would receive none of it. For this system to work, Washington would have to distribute the money in block grants with few or no strings attached, and the states would need to reduce their other taxes by the amount that they receive as their share of the national consumption tax. Needless to say, conditioning the provision of new federal funds to states on the basis of the corresponding elimination or reduction of state sales and property taxes would be a powerful incentive for compliance.

In order to avoid subsidizing the failure of entrenched school bureaucracies, it would be best to allocate the money directly to students rather than to schools. The allocation of funds on a per-pupil basis would be simplest and most beneficial in a system that permitted some kind of school choice—either among public charter schools or among public and private schools. In addition, the goal of equalizing access to educational opportunity would require certain variations in the distribution of national funds to reflect differences in the cost of living in different neighborhoods and regions. The same dollar buys more in New Mexico than in New York.

Critics might object that our proposal would lead to a loss of local control over school curricula and standards, but this danger is easily exaggerated and the opposite is more likely to be the case. First, in areas from highway construction to welfare, there is a long tradition of "cooperative federalism" combining federal funding with local discretion. Our proposal for national equalization of school funding merely applies the logic of cooperative federalism to the area of education. Nevertheless, it would be wise to collect and administer the national school funds by means that would prevent Congress from micro-managing the way the money is spent. What is more, national equalization could easily enhance local control, rather than undermine it. For instance, allowing the money to flow directly to parents, under a school choice plan, would increase parental influence at the expense of bureaucrats in school districts' central offices.

Change is the Norm

Equalizing school finance nationwide—by whatever method—might be dismissed as too radical to be taken seriously. But who in the 1970s could have guessed that state governments, which contributed little to school finance, would be paying for more than half by the end of the twentieth century, and that crusades for statewide equalization would go from victory to victory?

Some voters in affluent school districts would undoubtedly resist national equalization of school funding—just as some resisted statewide equalization plans. It is interesting to note, however, that the major political opposition has coalesced in states like Vermont which, like California, chose to equalize school funding by means of a statewide property tax. This suggests that the potential of a tax revolt can be minimized by the use of progressive taxes that fall relatively lightly on most voters, like a consumption tax. Meanwhile, the predictable opposition from teachers' unions in affluent districts might be overcome if the equalization of school finance were accompanied by an increase in teachers' salaries (a reform that would be a good idea in itself).

If the national debate about school equalization is anything like the debates in the states, enlightened self-interest is likely to prevail over parochialism. Indeed, the depth of public support for equalizing school funding is surprising.

A 1999 survey by National Public Radio, the Kaiser Family Foundation, and the Kennedy School of Government revealed 83 percent of Americans favor equalizing school funding, even at the price of transferring resources from wealthy districts to poor ones. A substantial majority of 70 percent responded positively to the suggestion that the spending of wealthy districts be "capped so that poor districts are not left behind." Although the question involved only state efforts to equalize public school funding, a proposal to equalize school funding on a nationwide basis would likely generate comparable levels of public support among suburban voters as well as urban voters. For instance, recent polling data from New York state reveals that even suburban voters favor increased state spending on urban schools by a margin of 63 to 28 percent.

Public support might drop if increasing spending for the poorest school districts required major funding cuts for affluent districts. But the polling data suggests that a majority of Americans would accept slight reductions in spending on affluent students, in order to ensure that all Americans, no matter what their family background or residence, receive good educations. What is more, raising the overall amount of educational funding nationwide (rather than providing a revenue-neutral alternative, as we propose) could permit per-pupil funding in affluent districts to remain the same even with school funding equalized across the country.

Advocates of radically different educational reforms should agree that equalizing school funding across the country is a necessary precondition for their favored reforms. That is, conservatives who favor school vouchers, and liberals who want to preserve the public school system while reducing class sizes and paying teachers more, might agree on the preliminary step of extending the logic of in-state school funding equalization coun-

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trywide. Any nationwide system of school vouchers presumably would be based on equal funding. For their part, liberals cannot consistently support national standards while tolerating gross regional differences in the resources devoted to K-12 education. Right, left, and center can debate about how the national money should be spent—after uniting to make the funding of K-12 education a national responsibility.

Far from breaking with our nation's heritage, equalizing school funding is the logical next step in the evolution of American public education. With each successive wave of economic transformation, since the initial Industrial Revolution of the 1800s, U.S. government support for education has expanded. In the First Industrial Era of the early 19th century, the public or common school became widespread, while the U.S. government founded the land-grant university system. Even so, in 19th-century America, the formal education of most Americans was limited to grades one through eight. In 1890, for example, fewer than five percent of teenagers went to high school, and an even smaller number went to college. In the Second Industrial Era that began in the late 19th century and lasted until the late twentieth century, a combination of compulsory school attendance laws with child-labor laws removed children from factories, fields, and mines and put them in classrooms. Then in the first half of the 20th century, high school attendance became the norm rather than the exception.

In these previous eras of school reform, those wedded to the old way of doing things have offered political opposition. Repeatedly, proponents of innovation in the design of American education prevailed over resistance by stressing one of three arguments: social, political, or economic. The social argument, which holds that schools are a ladder of social mobility, has been powerful in every era and retains its appeal today. The political argument, which helped establish the legitimacy of the early public schools, held that a democracy required minimally educated citizens. The economic argument, that the demands of an industrial economy required more years of school, was most influential in winning support for the universalization of high school (indeed, education historian Diane Ravitch argues that the emphasis on vocationalism in 20th-century educational thought sometimes went too far).

Now it is time to change again. Marc Tucker, another leading expert on American education, has observed that the present-day system of primary and secondary education in the United States "was installed in the 1920s not to insure high-quality results, but to enable the country to build a mass-production education system that would ensure minimum quality with high rates of efficiency. It is no more suited to the modern requirement for high quality than the industrial management systems rejected in the 1980s in the search for quality in the business world." Indeed, as Daniel Bell explains, "if industrial society is based on machine technology, post-industrial society is shaped by an intellectual technology, and if capital and labor are the major structural features of industrial society, information and knowledge are those of the post industrial society."

In the case of national tax policy, as well, fundamental change every few decades has also been the norm, not the exception. Throughout the 19th century, for instance, most of our federal revenue came from tariffs on imported goods. Then the bulk of federal revenues shifted to a broad-based progressive income tax during the early part of the 20th century and, finally, in the second half of the 20th century, turned increasingly to regressive Social Security and Medicare payroll taxes. Meanwhile, the balance between state and local taxes, on the one hand, and federal taxes, on the other, shifted just as profoundly. Before the New Deal, state and local taxes raised more of our total government revenue than federal contributions did. Since the 1930s, however, the proportions have been reversed: Two out of every three dollars flowing to government have been collected at the federal level. In the 21st century, as a result of the shift to an Information Age society, America's tax system should shift as profoundly.

Attaining educational equality could turn out to be a quadruple play. Replacing state and local sales and property taxes with a progressive national consumption tax rebated to the states on a per-pupil basis would not only help ensure nationwide parity in school funding, but it could also render our whole tax system more efficient and progressive, provide an elegant solution to the Internet tax problem, and create a powerful new incentive for increased personal savings.

The final decades of the 20th century saw a debate over statewide equalization of school funding, which should now be succeeded in the first decade of the 21st century by a long-overdue debate about nationwide equalization. The best way to equalize school funding can and should be the subject of a national conversation. But the goal should be clear: to ensure that every American child's access to quality education no longer depends, as it now does, on accidents of geography. The big question is which political party and president will have the courage and foresight to embrace this goal first, thereby providing the American people with what they really want: fundamental reform of our ailing educational system. ●

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The Myth of Military Poverty

Most servicemembers aren't poor. The ones who are need fiscal boot camp.

BY ANDREW WEBB

DURING THE LAST PRESIDENTIAL campaign, George W. Bush raged about the need to improve living conditions for military personnel and their families. After learning that thousands of servicemembers were on food stamps, Bush told the *Armed Forces Journal International*, "This is not the way that a great nation should reward courage and idealism. It is ungrateful, it is unwise, and it is unacceptable." Accordingly, he promised that one of his first actions if elected would be to spend $1 billion to increase military pay and upgrade substandard military housing. He upped the ante after his inauguration, promising about $6 billion for pay, health benefits, and housing.

But if you drive through any military base and end up at the base exchange—the military department store (complete with home and garden shop and liquor store)—what do you see? In addition to clean-cut men and women walking purposefully past manicured lawns along clean streets, do you notice anything incongruous? Take a good look at the cars. Notice the military stickers on the windshields. If you look closely at the vehicles with blue and red stickers (denoting officers and enlistees), look how new and well-kept they are. Then look at what servicemembers and their families are toting out of the busy complex: TVs, VCRs, stereos, jewelry, clothes ... everything imaginable.

How can this be? We've all heard for years that military personnel are living in poverty, some receiving food stamps. The outrage comes not only from pandering politicians, but also from some military personnel themselves and especially their lobbyists like the American Legion, the Veterans of Foreign Wars, and almost a dozen other groups.

Every year, as Congress debates the military budget, you're likely to hear much wailing and gnashing of teeth among military boosters. Stories about shabby housing and servicemembers living on food stamps are tossed around as if the entire military is living in Dickensian squalor. Members of Congress duly express their support for military pay increases with only the vaguest notion of how the military compensation system is structured and how it compares to that of civilians. A budget is enacted, usually with increases even with, or higher than, the cost of living. And individual servicemembers howl at the injustice of being denied even more.

Complexity = Confusion

The system used to compensate servicemembers is so complex and arcane that neither lawmakers nor most uniformed personnel really know how military compensation compares with civilian pay. The system currently used originated in 1922, when the Army, Navy, Marine Corps, and Coast Guard consolidated their systems. The new one was created to compensate—in cash and in kind—a relatively small number of people living in a completely different milieu from today's.

From the system's creation up through most of the Vietnam War, the armed forces operated as the surrogate parent of their personnel—especially enlistees. In return for loyalty, competence, diligence, and in some cases bravery, the military would take care of your every need: housing, food, clothing, medical care, retirement, and pocket money. Even in the early years of the all-volunteer force, most junior enlistees and many (if not most) junior officers were unmarried. They lived and

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dined on base. If they were stationed aboard ship, they lived and ate meals aboard ship, not ashore. With a few exceptions, the only ones who were married and lived off base were officers and senior enlistees. These people received a cash allowance to compensate for housing and food they would have received if they were single and lived on base.

For most, the cash components of compensation provided for a good time in town and little else. The in-kind components, especially extensive recreational facilities, provided free on-base options between pay days. Only senior officers had enough cash income to pay for an upper-middle-class lifestyle.

Today, each service has dozens of occupational specialties, technology touches every aspect of life (both in and out of the military), women serve alongside men virtually everywhere, few military personnel live in military housing, and 60 percent of them are married. Plus, young people are far more independent and individualistic when they enter the service and expect a far greater level of material comfort than their predecessors. Despite these changes, the generals and admirals cling to the antique compensation system their grandfathers knew. Lawrence J. Korb, Assistant Secretary of Defense for Manpower in the Reagan Administration, says the current system "is outmoded and outdated." It is so complex that listing its various components can make your eyes glaze over.

After basic pay—a cash payment determined by one's rank and seniority—there are more than 40 types of untaxed cash allowances. The two most common—basic allowances for housing (BAH) and subsistence (BAS)—go to everyone who isn't provided in-kind housing and food. There are also three types of "incentive pay" and 30 types of "special pay," all combined in one lump sum in every paycheck. A servicemember usually has only a vague idea as to how many factors she qualifies for or how much she brings in from each.

There's more. Don't forget the military's free life insurance (now paying $100,000) and the very generous non-contributory retirement plan. It allows servicemembers to retire after 20 years of service (as early as age 37) and immediately collect half their pre-retirement cash salary for the rest of their lives, indexed to inflation and in addition to Social Security.

There's also the free skill training the services provide in specialties as varied as nuclear power plant operation and cooking, as well as generous in-service and post-service education assistance funds. Then there's the free medical and dental care, and a minimum of 30 days of paid leave per year, along with tax-free stores on base and first-class, on-base recreation facilities (including swimming pools, gyms, marinas with sail and motor boats, movies, and racquetball courts.)

There aren't that many poor people in the military, even when you don't count the tax breaks, racquetball courts, life-insurance policies, retirement packages, and other perks.

Also worth considering in the total compensation package are the federal and state laws that allow servicemembers to shop around for a state in which to claim residency for tax purposes. Military people also receive discounts from civilian businesses ranging from movie theaters to theme parks to rental car agencies to Amtrak; and there's even free, worldwide air transportation on a space-available basis.

Show Me The Money

So far, I've deliberately used the word compensation rather than pay. In the civilian world, employees might receive contributory retirement plans, access to health insurance, and cheaper movie tickets, but cash wages or salary are what really count. In contrast, in-kind benefits are nearly as important as cash in the total military compensation package. The cash portion, up to half of which—depending on pay grade—is untaxed, consists of literally dozens of different types of pay, allowances, and bonuses. From here on out, I'll use "pay" to denote the cash portion of the complete military compensation package.

Before 1967, when legislation linked military and federal civil service raises, military leaders lobbied hard for all pay increases. To ensure that members of the administration and Congress looked sympathetically at requests for a raise, military leaders encouraged the view that military compensation was low. Navy Rear Admiral Lester E. Hubbell, who directed a military compensation study group, wrote in the group's 1967 report, "Mod-

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ernizing Military Pay": "In the process of trying to convince others of how bad pay was so it could get raised—because that was the only way it could get raised in the absence of any accepted standard for what it ought to be—the military sold its own career members on how poorly paid they were. Much of this bad psychology remains as an integral part of the military folklore."

But with the end of the draft in 1973, recruitment became all-important. One of the things Congress did to make it easier for the services to attract entry-level personnel was to dramatically increase military pay. This brought the total military compensation package into rough parity with that of civilians. Old habits die hard, however, and many military personnel who were used to tiny paychecks—even when they started receiving much larger ones—continued to complain.

Like most Americans, military personnel consider take-home pay when comparing employment opportunities. And when they contrast their take-home pay with that of civilian friends, servicemembers see a great disparity. That's why, despite the large cash infusion at the end of conscription, the folklore Admiral Hubbell noted in 1967 lingers even today.

Recognizing the complexity of the problem, Congress devised the concept of Regular Military Compensation (RMC) to make analyzing and discussing military compensation easier. It consists of the three main cash items noted earlier and the cash equivalent of the advantage of tax-free basic allowances for housing and subsistence. But even RMC is inadequate as a measure of the military compensation package's value because it doesn't take into account the other in-kind or cash elements.

The General Accounting Office (GAO), in a 1975 study, pointed out that "lack of visibility of pay among military members was widespread. [Even] RMC was underestimated by 40 percent of enlisted personnel and 20 percent of officers." The report went on to say that "[a] potential effect is that personnel needed to satisfy military manpower requirements may opt for other careers based on erroneous assessments of relative financial rewards. This, in turn, could result in unnecessary increases in military pay in an effort to aid attraction and retention programs." Nothing of substance has changed since the GAO wrote its report.

Pay Gap?

In November 1996, the *Navy Times* printed a story with the alarmist lead, "The gap between military and civilian pay could grow a half percentage point, to 13.5 percent in 1998, unless Congress and the next administration can agree on a plan for larger military raises." The story's author's own reporting indicates only a fuzzy understanding of the difference between a true pay gap and a pay-raise gap, terms he and others use interchangeably.

A pay gap would be the difference between the pay of a military person and that of a civilian doing the same or comparable job. The DoD has never made any serious effort to make such comparisons. A pay-raise gap is a gap between the raises given to military people compared with those given to civilian workers.

On its Web site, the Retired Officers Association (TROA) has a table purportedly "track[ing] the growth of the military pay gap by comparing military raises with wage growth in the private sector," as expressed in the Employment Cost Index (ECI). TROA goes on to say that "[f]or budget reasons, pay raises have been capped most years since 1982, when military pay was last deemed 'reasonably comparable' with the private sector. The cumulative pay gap widened to 13.5 percent by 1999, with serious retention and readiness consequences."

On its face, this assertion sounds reasonable. But looking closer, you will discover that between 1982 and 1999, according to the Bureau of Labor Statistics, the overall ECI rose by 103 percent: 94 percent for wages and salaries and 125 percent for benefits. Benefits include: paid leave, life insurance, disability benefits, health benefits, retirement benefits, and unemployment insurance. Military personnel pay for none of these. Perhaps the reason the cash portion of their pay didn't keep pace with the overall ECI is that servicemembers didn't need it.

Even for the lowest grades, the problem isn't nearly what many people would have you believe. Comparing RMC (not counting most allowances and in-kind benefits) for enlisted personnel in the first four pay grades, stationed in San Diego, compensation ranges from $1,852 for an E-1 without any dependents to $2,249 for an E-4 with dependents, a pay grade military recruits advance to within 18-24 months. That means between $22,000 and $27,000 a year for men and women—almost all under 20 years old—just beginning their careers. Moreover, with constant pay raises built into the system, military poverty, to the extent it even exists, shouldn't last long. A bigger paycheck is always guaranteed for next year. Although at the lowest enlisted grades frugality might be required, the picture is hardly one of grim destitution.

The Food Stamp Legend

As to food stamps, the situation is even more complicated considering that the Department of Agriculture uses two main criteria to determine eligibility for food stamps: income and family size. If your income is below

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a certain level, you qualify. In the military, cash given to those who live off base is counted as part of one's income in determining food stamp eligibility. Actual housing provided by the military (whether on or off base) is not counted, however. Thus, if a servicemember has a low income (i.e., is low in rank), lives in military housing, has an unemployed spouse, and has a large family, it's quite possible she or he will qualify for food stamps. Even those who live off base and receive the cash housing allowance might qualify with a big enough family.

The reason there are servicemembers on food stamps, then, can be traced for the most part to the size of some military families. The Air Force's senior enlistee—Chief Master Sergeant of the Air Force Eric Benken—recognized this years ago. According to a March 1997 issue of *Air Force Times*, he didn't "see the fact that some airmen qualify for food stamps as proof there is something wrong with military pay scales. Instead, it is a sign that young people with low incomes are starting families before they can afford it." A month later, *Navy Times* carried an interview with Fred Pang, then assistant defense secretary for force management. Pang said he didn't "want to appear insensitive ... [but] the Pentagon's analysis shows the reason service members qualify for food stamps is family size, not income."

Secretary of Defense William Cohen, trying to explain the food stamps situation, told journalists in April 2000 that the problem "really has to do with young people who are coming in who have a large family." Facts, however, don't seem to have changed the popular misconception, as evidenced by the large number of active-duty and retired personnel (and their spouses) who routinely condemn Congress for the fact that military people are receiving food stamps. A trip to the chat rooms and discussion boards of Military.com or the letters-to-the-editor of *Army*, *Navy*, *Marine Corps*, and *Air Force Times* bear this out.

The Roots of the Problem

I entered the military in June 1971. At that time, enlistees couldn't marry unless they were at pay grade E-5 (approximately four years' service) and had their commanding officer's approval. This practice at least prevented the problem of destitute families headed by young enlistees.

At no time during the ensuing nine years I was in uniform, however, did I read any official directives—and seldom did I hear any caution from superiors—about spending within one's limits or prematurely taking on family responsibilities before one was ready. Any admonitions or guidance came after an individual had gotten in over his head. It's not that servicemembers were encouraged to go out and immediately spend their whole paychecks or to get married. They just weren't cautioned against doing so, a problem that remains today.

The reason servicemembers qualify for food stamps is family size, not income.

Even when the services try to tackle this problem, they are shot down by their civilian overseers. On August 11, 1993, the Marine Corps announced it no longer would permit married persons to enlist. A few hours later, however, the service renounced the planned policy, apparently after a protest by President Clinton. Typical of overreactions was that of then-Rep. Patricia Schroeder, who was a member of the House Armed Services Committee. She "accused [Marine Corps Commandant, General Carl E.] Mundy of being an anti-family 'neanderthal' .... Rather than reducing the number of military families, Schroeder urged more funding for family programs," according to a January 1995 commentary in *Navy Times*.

Schroeder, like most in Congress who never served in the military, didn't understand that her proposal was precisely the wrong one. It doesn't take Milton Friedman to figure out that paying more to people who marry than to those who don't encourages marriage. Similarly, we don't need Dr. Joyce Brothers to tell us that marriages entered into primarily for financial reward are unlikely to last. A 1997 study bears this out. David W. Flueck and Jeffrey S. Zax, economists at the University of Colorado at Boulder, concluded that the additional benefits that come with marriages to servicemembers "may ... encourage them, perhaps excessively." They also conclude that "[M]ilitary marriage subsidies cause higher rates of marriage and lower quality marriages" and that "there is no compelling rationale for subsidizing marriages among 18- and 19-year-old servicepeople, especially when many of them will not reenlist."

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Going Overboard

Not only are ill-advised marriages tacitly encouraged, servicemembers are surrounded by messages telling them to spend what money they have on material goods that even exceed those civilians are exposed to. The base exchanges sell state-of-the-art electronic equipment, jewelry, CDs, watches, mobile phones, and the latest fashions in clothes for a fraction of what they're available for off base.

Even slick new cars are within the reach of junior enlistees, given their steady pay and predictable raises. And unscrupulous car dealers—many within easy walking distance of the base gates—are more than happy to indulge them.

Those who get into financial trouble are most often young people away from home for the first time, earning more than ever before. It's no wonder so many of the barracks-bound live from paycheck to paycheck, going on spending binges immediately after payday, then living on mess hall food and the free on-base recreation for two weeks until the cycle repeats itself. Similarly, it's no wonder junior enlistees living off-base with families find themselves cash-strapped most of the time.

We shouldn't be surprised, then, that they think they can afford everything the culture tells them they should have if they want to be part of the middle class, given the absence of countervailing messages from those around them. Indeed, officers and senior enlistees even today survey this situation with a smug sailors-will-be-sailors attitude, as if that were just the way the world works.

The Devil's in the Details

Proposing military pay raises and subsidies for members with large families is all very nice and politically correct but are the president's plans to do so wise? Why is a Republican administration—the cheerleader for privatization—putting a dime into building, refurbishing, or maintaining housing when Republicans constantly tell us the private sector does such things so much better than government does? And just what is an "across-the-board pay raise for members of the military"?

Let's focus on this proposed pay raise. Cash counted in Regular Military Compensation comes in three flavors: basic pay, basic allowances for housing, and basic allowances for subsistence, the latter two of which are not taxed. When Congress enacts a "pay raise," the president may apply it to any or all of these three components.

Consequently, a "pay raise" evenly distributed among the three components is better for junior personnel, because basic pay (which is taxed) increases greatly with pay grade, but the housing allowance (untaxed) increases much less from pay grade to pay grade and the subsistence allowance (also untaxed) is the same regardless of pay grade. That is, a greater proportion of a junior enlistee's total pay is untaxed than that of more senior personnel. No one in the new administration is telling us how the planned "pay raise" will be allocated among these three components, and no one in the media is asking.

It's all well and good to be incensed about thousands of servicemembers being on food stamps—if it's true. But we have no indication it is. DoD's last estimate was that 5,100 servicemembers receive food stamps, but they have never done a serious study, and the number they cite changes constantly. Plus, the number is usually cited without mentioning that every single person who may actually be on food stamps, is also in line for a pay raise and therefore isn't likely to stay on food stamps for long.

Moreover, the current compensation system already pays married personnel more than it pays singles. If pay increases by a certain percent so that a tiny number of military personnel receive more money, in large part because they've chosen to have large families, even greater disparities will exist between personnel of the same pay grade and seniority. Married personnel will receive more than singles, and those with larger families will be paid more than married personnel without large families.

Sadly, Republican legislators, in the last session of the 106th Congress, have decided to exacerbate the existing tendency in this direction in military compensation by offering a provision that would give up to $500 in additional cash per month to families qualifying for food stamps. In an effort to make political hay in an election year, their scheme increases existing disparities by skewing the system even more in favor of married servicemembers with large families. That won't be helpful. What we need is military leaders who, through command-level instruction and counseling, promote responsible behavior in their subordinates with respect to money and marriage. We also need a completely new and easily comprehensible system. Otherwise, current perceptions that servicemembers live on the brink of poverty—held by members of Congress, lobbyists, and servicemembers themselves—will persist.

Only when we've tackled both individual attitudes and behaviors as well as systemic problems will the myth of military poverty be put to rest. ●

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Soul Mates

Black America's love affair with Bill Clinton

By Ta-Nehisi Coates

Bill Clinton's scandals were supposed to end on Jan. 20. But days after leaving office, he was taking hits for his late-night pardon of financier fugitive Marc Rich, and absconding with White House furniture. Congress was threatening to pull the plug on his plans for a pricey New York office suite, and Wall Street firms were cancelling his speaking engagements. Other people might have buckled under pressure and checked themselves into the Bali Hilton just to get away from it all.

But what did Clinton do? He went to Harlem, the capital of black America and, as such, the best place for the scandal-fatigued to find redemption. Harlem didn't disappoint; it gave Clinton a welcome befitting a war hero. As he strolled the neighborhood, people screamed, "We love you," and "Touch my hand." Clinton lunched on Creole cuisine at the Bayou, where a busboy told the *Baltimore Sun*, "I never wanted Clinton to leave office."

Clinton's move to 125th Street was a masterful piece of damage control that obliterated complaints about his office space in Midtown and sent a dual message. To blacks, Clinton once again said, "I feel your pain." To whites, he said, "I am bad enough to walk streets—albeit with Secret Service in tow—that most of you wouldn't be caught on at high noon." If the black community needed more reason to continue its love affair with Clinton, this was it.

It's not as if Clinton's reputation in black America was ever in danger. Towards the end of his term, Clinton was viewed favorably by a staggering 83 percent of African Americans. Even in his ignominious departure from office, Clinton's support among blacks seemed only to increase as it declined elsewhere. Not that there aren't a few nay-sayers. "But nothing, it seems, is capable of eroding the faith of gullible African Americans in their continued idolization of Clinton," fumed columnist Gregory Kane in the *Baltimore Sun*. "Going to Harlem in the midst of his troubles is not a compliment to blacks but an insult."

Critics point to Clinton's failures on criminal justice and racial dialogue, along with his meek defense of the poor, as evidence that he is not worthy of such adulation. They wonder how African Americans can back a man who so mildly defended their interests. The answer lies not in federal Washington, but in its municipal host, the District of Columbia, which for 16 years played home to black America's most recalcitrant mayor, Marion S. Barry Jr.

On paper, their personal histories make Clinton and Barry seem like veritable blood brothers. They have both spent most of their lives running for one office or another. Like Clinton, Barry never forgets a name, and he is a silver-tongued devil whose charm powers are legendary. Clinton's well-known love of policy is nearly matched by Barry's exhaustive knowledge of the workings of municipal government—which helps explain why he was so adept at screwing it up.

Both men are from the South and were raised poor by single mothers. Both have had their potentially impressive careers marred by an inability to manage their appetites for lust. And both are the bane of white conservatives and Washington's elite. Barry was despised by the black upper crust of D.C.'s Gold Coast, which dismissed him as an unsophisticated 'Bama just as Georgetown socialites snubbed Clinton as trailer trash. Clinton left the country in vastly better shape than Barry left the District, but both have been awarded a moral pass from people who specialize in offering redemption to wayward souls.

Mayor For Life

For years, federal prosecutors had been trying to bring down the mayor of D.C. They caught a lot of his friends and administration members, but it wasn't until 1989, in Barry's third term, that the FBI finally found something to pin on him. The now-infamous video of

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Ta-Nehisi Coates *writes frequently on race and African-American cultural issues.*

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Barry smoking crack at the Vista Hotel landed him in a federal prison for a six-month misdemeanor sentence. Barry's conviction didn't put an end to the scandals, though. While incarcerated, Barry made the evening news when a female visitor gave him oral sex—right in the middle of a room full of people.

In 1991, when Barry was released, he was greeted by a cheering crowd that ushered him on board a yellow school bus and escorted him back to Chocolate City. Still, Barry returned to D.C. flat broke and unemployed. His wife had left him, and most of establishment Washington reviled him. So what did he do? Barry sought refuge in Anacostia, D.C.'s Harlem, a neighborhood nearly 98 percent black and 100 percent poor. No one who knew him was surprised when he geared up to run for office. In 1992, Barry won a seat on the city council in a landslide. Two years later, he married a bossy nails woman who kept him on the straight and narrow and swept into office for a remarkable fourth term as mayor.

Barry ran on a "redemption campaign," promising to redeem himself and set the city right. Those words, though, carried no weight with Congress, which stripped Barry of most mayoral duties just months into his term. It took some arm-twisting from friends and complications from prostate cancer to keep him from running for a fifth term in 1998. Yet even after he had created scandal after scandal and driven the city off the pier into a sea of red ink, Barry had poll numbers showing he would win by a 2-to-1 margin.

For years, critics questioned how D.C.'s majority black population could stand by the mayor, but Barry's national critics underestimated the ugly history that existed between black Washington and Congress.

Barry built his machine by showing affection for people accustomed to being ignored by Washington power-brokers. When elected, Barry opened up the corridors of power to people who had been little more than serfs. He created a $15 million job program that guaranteed employment to every youth in the city. And though many of them resented him, Barry even did right by the black middle class; by 1989, 40 percent of all city business went to minority contractors.

Barry's real power, though, lay in his ability to rile up the white power-brokers on Capitol Hill. The denunciations that inevitably followed Barry's "rape of democracy" rhetoric only added to his reputation as the rebel refusing to dance to the tyrant's tune. The fact that many of Barry's harshest critics were people who never were seen as friends of black people (George Will, Lauch Faircloth) virtually assured Barry's invincibility. Black Washington would never drive Barry from power because it knew that the same people who hated Barry hated it, too.

Black Like Bill

There is a long and storied history of men of dubious repute finding acquittal in the black community. Often this is because of a deep resumé of political activism. Adam Clayton Powell's womanizing never threatened his mastery of Harlem. The FBI managed to record the most intimate details of Martin Luther King Jr.'s philandering, yet to this day, many black Americans dismiss King's extramarital lapses as a hoax conspired by his enemies. When Barry was caught on tape smoking crack, many African-American men in Washington began sporting T-shirts exclaiming, "The bitch set him up." The story of the Rev. Jesse Jackson, with his love child and illicit payments to his mistress, is the most recent installment in these chronicles.

Even men of negligible political significance have found the black community a welcome haven. O.J. Simpson spent his entire professional life ducking black people and trying to ingratiate himself with whites. But when he was acquitted of murdering his ex-wife, you would have thought black America had won the lottery. After Mike Tyson was accused of rape, he received the backing of the National Baptist Convention USA, the largest black organization in the world. It mattered little that the woman Tyson was later convicted of raping was a black Baptist Sunday school teacher.

Tyson and Simpson showed that neither psychological instability nor outright rejection of black America could curb its loyalties to its prodigal sons. But Clinton trumps all comers. He is the first white person to gain entry into black America's house of repentant sinners.

Clinton won his ghetto pass by cultivating an image as the best friend black America has ever had in the White House.

While I am in a small minority, especially in black America, I have never bought into this image of Clinton. I was deeply disappointed with his record in the criminal justice arena, where blacks have been disproportionately affected by the prison boom that occurred on his watch and left one out of every three black men without the right to vote. Most of Clinton's attempts at racial conciliation seemed to me little more than television crusades—a perception only compounded by his January *New York Times* column urging Bush to implement all the things he failed to do, such as equalizing the penalties for crack and powder cocaine possession.

"Clinton talked a good game, but when the rubber hit the road, he would flinch. But he did it in ways black

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people couldn't see very easily," says George Mason University professor Roger Wilkins.

Little of this, though, affected black public opinion, which was shaped by more potent symbols. Clinton installed a record number of African Americans in his cabinet and spoke about race with a frankness that black America was not used to hearing from a white person, much less the head of the free world. Clinton's tour of Africa and subsequent apology for the epoch of European colonization and enslavement may have been half-hearted, but they were much more than black people had ever seen from a white person in power.

In the eyes of black America, Clinton is Pimping Sam gone white trash. Not even Marion Barry could top getting a blow job in the Oval Office.

Clinton's economic policies were also a boon for African Americans, whose median income reached an all-time high during his administration, even as poverty among blacks plummeted thanks in large part to his increases in the minimum wage and the Earned Income Tax Credit.

But Clinton's true appeal lay in his ability to raise the blood temperature of white conservatives. Every time Bob Novak harrumphed on CNN, or Dan Burton dismissed Clinton as a scumbag, black America invoked the "enemy of my enemy" formula and deduced that Clinton must be doing something right.

Moreover, Clinton was the first president who seemed truly comfortable around African Americans. Wilkins says, "I have never seen another president—as a matter of fact, I have seen very few white people who are as at ease with black people as him. He genuinely likes black people, and blacks can sense that. And there is a part of him that seems genuinely interested in achieving equality in America."

Less appreciated, however, is the way Clinton meshes with some of the unseemly aspects of black identity. In 1998, when Toni Morrison asserted that Clinton was "our first black president," she was roundly—and rightly—blasted for invoking an assortment of stereotypes to bolster her argument. Yet there is a place in African-American iconography for men like Bill Clinton.

Pimps In The Pulpit

In many ways, African-American culture celebrates scoundrels. The glorification of drug dealers is not the result of hip-hop as much as its heritage. Before gangsta rap, there were blaxsploitation flicks making heroic legends out of criminals. Before that, there were the toasts, African-American oral poetry that celebrated the hustler. The way Clinton manages to outslick his adversaries, smooth-talk his constituents, and womanize while he's at it puts him squarely in a celebrated African-American tradition of tricksters and players.

Even in the apolitical world of hip-hop, Clinton has become a sort of folk hero. In rapper Tash's ode to marijuana, "Smokefest 98," the prelude begins with a Clinton imitator phoning Tash at his home. After Clinton informs Tash that it is "the big Bill," the rapper responds with a collegial, "Wassup Bill!" Clinton tells Tash that he's dealing with "this shit with Monica," but he's caught a few of Tash's videos and can't wait to hear some of the rapper's "new joints." "Whassup with that D.C. smoke?" asks Tash, inquiring about the quality of Washington's marijuana. "This shit will rip the top of your head off, I'm telling you," responds Clinton.

Clinton's qualification for the African-American rogues gallery has earned him a few choice honorifics rarely bestowed on white people. In private conversations among blacks, Clinton is ghetto, a nigga (not nigger, mind you)—terms that say: He is one of us. The way Clinton straight-housed official White House furniture only adds credence to the description. In the eyes of black America, Clinton is Pimping Sam gone white trash, or Shine holding court in the White House. After all, not even Marion Barry could top getting a blow job in the Oval Office.

Of course, cultural politics would hardly be as relevant without the defining force in African-American life: racism. Clinton is a direct beneficiary of two centuries of chief executives who acknowledged blacks only when forced to. It's not so much that we love Clinton; we just love the fact that someone powerful finally feels our pain.

Like Barry, Clinton's biggest asset in black America is his enemy list. Eight years of special prosecutors and congressional probes into largely bogus allegations against Clinton put him in good company in black America. So long as African Americans see Clinton as a victim of witch hunts orchestrated by racist Republicans, the former president will continue stopping traffic in Harlem.●

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Political Booknotes

Panning Gold

By Tom Wicker

RICK PERLSTEIN HAS ADDED A provocative subtitle to his fascinating new book, *Before the Storm: Barry Goldwater and the Unmaking of the American Consensus.* But its suggestion that Barry Goldwater did the unmaking is at least partially misleading.

The liberal consensus that originated with the New Deal and dominated American politics for the next 30 years (including Dwight Eisenhower's two terms) was broken—shattered, in fact—by the Republican party's nomination of Goldwater for president in 1964. ("AUH2O" bumper stickers called him.) The evidence of Perlstein's book, however, is that Goldwater himself was less the cause of the demolition than the nascent black movement and the Civil Rights legislation that captured America's attention in the '60s, brought George Wallace out of the woodwork, converted the old "Solid South" into a Republican stronghold, and did more than anything else to turn the nation rightward, ultimately to Ronald Reagan in 1980.

BEFORE THE STORM: Barry Goldwater and the Unmaking of the American Consensus
by Rick Perlstein
Hill & Wang, $25.00

The amiable and courageous (if irascible) Goldwater, of course, was a principal player. He was challenging the liberal consensus and preaching a brand of conservatism that was, at the time, about as popular as damning motherhood. In 1960, he roused much of the GOP from its Eisenhower-induced me-tooism; in 1964, though not a segregationist, Goldwater caught the anti-black tide by voting against the great Civil Rights act originated by John F. Kennedy and passed by the blandishments of Lyndon Johnson; and he never retreated from that or such other unpolitic notions as selling the Tennessee Valley Authority.

For his iconoclasm, Goldwater became in those years (roughly 1957-1964) a godlike hero to the right, which was growing exponentially, at a time when few Americans knew it existed beyond the John Birch Society and, say, Clarence Manion's radio talks. Ironically, owing to his integrity and his relative political restraint, Goldwater—along with William F. Buckley's *National Review*—became a sort of conservative's conservative and an alternative to the likes of the wild-eyed Birchers, Billy James Hargis, Kent Courtney, J. Evetts Haley et al. Even in Perlstein's telling, however, he seems more of a symbol than a root cause.

The major author of the Goldwater revolution—not too strong a word—was not Goldwater himself, however; it was a man little known to the public, to whom Perlstein gives ample due—F. Clifton White, a Dewey-trained behind-the-scenes political operator who made the 1964 nomination a reality through his brilliantly organized Draft Goldwater movement. Politics being what it often is, White then was summarily "dumped" by the "Arizona Mafia," a gaggle of Goldwater cronies who proceeded—as Perlstein also makes clear—to mangle the Goldwater presidential campaign.

Here too is a cavil at the suggestion that it was Goldwater who broke the consensus—because, in fact, LBJ was elected in 1964 with 61 percent of the vote (then the greatest presidential landslide in history), carrying 44 states and huge majorities in both houses of Congress. It's true that the Democrats profited from national grief over the Kennedy murder in 1963; that Americans did not want a third President in just over a year; that the Goldwater post-convention campaign was a disaster (on a Republican billboard proclaiming, "In your heart, you know he's right," the Democrats affixed a sticker: "Yes, far right"); and that Johnson was an incumbent supported by a superlative ad campaign that made his opponent appear to be a mad nuclear bomber. Still, where was that great hidden majority of conservatives ("forgotten Americans," Goldwater called them long before Richard Nixon revived the term) who were just waiting to cast their votes for "a real conservative" as soon as milquetoast Republicans got out of the way?

I put that exact question to Clif White, an auteur of the hidden-majority theory, after it had failed to vindicate itself in the 1964 New Hampshire primary (won by Henry Cabot Lodge, a classic me-too moderate). White just looked at me sadly and shook his head. He went on to create Goldwater's nominating majority, not owing to a popular uprising of hidden conservatives, but mostly by skillfully and ruthlessly infiltrating, organizing and capturing delegations from the non-primary states. AUH20 did win the climactic California primary over Nelson Rockefeller, not least because in the preceding weekend a baby had been born to Rockefeller's second wife, rekindling what was then the scandal of their divorces.

Meanwhile, the nation was in turmoil and facing an incipient "backlash" at the prospect of blacks moving into formerly white schools, neighborhoods, jobs, and politics—not just in the sinful South but everywhere. Causes and effects are hard to identify, of course, when so many seem plausible. But Perlstein's accounts of black demonstrations and demands, and of white reaction, together with the fact that racial unrest continued long after Barry Goldwater's moment in the spotlight, should leave little doubt in any reader's mind that it was the "movement" and the nation's fearful and antagonistic response—not a particular political figure or campaign, however symbolic—that really broke the liberal consensus.

Even noting these exceptions to Perlstein's thesis, *Before the Storm* is a compulsively readable book—at least for those of us who lived through the events he has painstakingly researched. Maybe "slept through" would be more

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accurate, because Perlstein's thorough exploration of the recent past discloses much that, at the time, we in the "mainstream" (Rockefeller's word) press either did not know or did not credit.

Actually, though, Perlstein is rather even-handed; he's far more critical, for instance, of the Arizona Mafia—particularly Dennison Kitchell and Dean Burch—than he is of any opponent or mainstream misjudgment of the Goldwater/conservative phenomena. His own political views (other than his admiration for Clif White, his liking for a man he occasionally calls "Doctor Strangewater," and his contempt for the '50s-'60s consensus) seem to lurch from middle to right and back again.

He obviously does not share such Birch Society convictions as the idea that Eisenhower was a Communist, but he takes it easy on the Society's founder, Robert Welch, and has high praise for Phyllis Schlafly and Dean Manion. For Ike, William Scranton, and the floundering, too little-too late "stop Goldwater" movement of 1964, he has minimal respect. He constantly derides Richard Nixon, but grudgingly concedes that Tricky Dick, in fateful contrast to Nelson Rockefeller (for whom he has no redeeming word), finally worked hard for Goldwater's election. LBJ's occasional strong-arm political methods are roundly condemned, though Clif White's—presented in graphic detail—are regarded as clever politics. On LBJ himself, Perlstein is scathing. Even his hero Goldwater is often depicted with his foot in his mouth—and not always owing to integrity or principle.

A relevant criticism is that *Before the Storm* may tell you somewhat more than you want to know about those obscure conservative figures, rallies, and triumphs of nearly a half-century ago (the 1963 national Young Republican convention in San Francisco, for example). But looking back on these memorable times—the civil rights movement, the Goldwater and LBJ dramas, a fraying national consensus, all converging in the Sixties—one can only regret how much he or she didn't know, or misunderstood.

Perlstein has much fun quoting Walter Lippmann and James Reston (and once Tom Wicker) in mistaken judgments, of which we all made plenty. In self-defense, I note only that, as Perlstein himself insists, there was a consensus—powerful, too, and not just in the press—and that Goldwater and his idolaters did seem on its fringes. Much of their activity took place, if not in secrecy, at least in such out-of-the-way venues as the state assemblies of Young Americans for Freedom. Hindsight is a great aid to derision.

This book constitutes, nevertheless, a worthwhile warning: not only do journalists inevitably know less than they think they do (just as most know more than they report), but they're liable to go wrong if they think that any era, any "consensus," however dominant, is fixed, immutable, forever. Too many of us made that mistake in the '50s and '60s, and some may be making it today—even Rick Perlstein, who concludes the prologue to *Before the Storm* by stating that the nation now has entered a conservative epoch as "surely as the time between the New Deal and the Great Society was a liberal one." Which raises the question of whether some new Clif White, or some before-his-time Goldwater, may be readying himself to challenge a new consensus.

TOM WICKER *is a former columnist for* The New York Times.

RED SOX CENTURY: One Hundred Years of Red Sox Baseball
by Glenn Stout and Richard A. Johnson
Houghton Mifflin, $40.00

This'll Be The Year

By Martin F. Nolan

IN 1919, FRESH FROM MUSTERING out of the U.S. Army, my father left his village in Maine for Boston, an exciting city with an exciting baseball team. The Red Sox reigned as world champions, having won their fifth World Series in 1918. With Irish luck, he arrived just in time for Babe Ruth's last season, and he was hooked.

At Fenway Park, on the radio and television, he and his progeny took a seasonal ride to the giddy heights of "Almost," to the last week, the last game, the last playoff (in 1948 and 1978), and the seventh game of the World Series (in 1946, 1967 and 1975). Neil Nolan died at 87 in 1985, a year before you-know-what dribbled under you-know-whose legs in the sixth game of a World Series game played you-know-where. I tell this shaggy-mutt tale because some of my friends have dined out on my punchline to this dynastic saga: "The Red Sox killed my father, and now they're coming after me." The phrase was much in use in Boston after Bucky Dent did his imitation of Babe Ruth in 1978.

In season and out, hope springs

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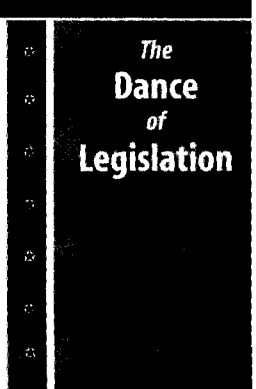

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eternal from New England's rocky soil. This wonderfully irrational exuberance requires documentation. It has arrived handsomely and in vivid detail in *Red Sox Century*. Beautiful black-and-white photos and sound research into the icons and zanies who have populated Fenway illustrate what the wistful agony has been all about. Glenn Stout and Richard A. Johnson provide a clinical autopsy of *gonfalonia interruptus*.

They are also calm exorcists. Red Sox Nation is a Transylvanian village, awaiting the curse of the Bambino at every full moon. The authors approach what happened in 1920 differently: "If there is any kind of curse that haunts the Boston Red Sox, it's not one that has anything to do with the sale of Ruth. Rather, it is the way history has been misused to provide excuses for the real failures that have haunted the team."

While they prove their thesis, the authors wisely do not try to restore the image of Harry Frazee, the starstruck club owner whose name in our household ranked with that of Bendict Arnold and Judas Iscariot. Red Sox owners have often been unwise. A previous owner, John I. Taylor, impulsively traded Denton True "Cy" Young to Cleveland because he had won only 21 games in 1908.

In the 1970s, the Red Sox traded Sparky Lyle to the Yankees, where Lyle became an ace reliever, for Danny Cater, who did little. And my favorite piece of graffiti along Landsdowne Street, after the Sox dumped outspoken southpaw Bill Lee, was "Who is Stan Papi?" Traded for Lee, he was the Montreal infielder who hit .188 for Boston in 1979.

Stout and Johnson do not always dwell on gloom at the expense of glory. Most of the time, especially during the Thomas A. Yawkey era, Red Sox ownership was competitive and farsighted. Sox fans do not gush over their heroes, which is why retired numbers, displayed over the right field grandstand, are few. Nice guys who were popular or lasted a long time need not apply to this pantheon. The only way to get there is via Cooperstown. So far five have: Joe Cronin, Ted Williams, Bobby Doerr, Carl Yastrzemski, and Carlton Fisk.

Red Sox Century owes much to them as well as to the Al Zarillas and Willie Tasbys, the Clyde Vollmers and Don Buddins, the Denny Galehouses, and Calvin Schiraldis, all spearcarriers in this long-running opera that still plays to a packed house. For about half the cost of a box seat, the authors explain, illuminate, and document but do not attempt to console.

In 1997, after the Florida Marlins won their first world championship, I heard a happy fan on the radio say, "I've been waiting five long years for this." Five long years? At Fenway Park on every Opening Day, a fan carries an annually updated sign: "Every 83 years, just like clockwork."

"April is the cruelest month," T. S. Eliot noted incorrectly, "mixing memory with desire." Bostonians would insist that September and October, for all their autumnal glory, are much more cruel. *Red Sox Century* shows the seasonal ups and downs in exquisitely vivid hues.

MARTIN F. NOLAN *writes for* THE BOSTON GLOBE.

The Artful Dodgers

By David Cay Johnston

ON MY DESK AT HOME SITS A small faux rock, a flat black sheet with broken edges and a maze of tiny white symbols etched into its face. It is a replica of the Rosetta stone, famed as the key to unlocking the hieroglyphic language of ancient Egypt. Less well-known is the text on this stela, a convoluted and flowery pronouncement in which a pharaoh claims credit for the prosperity of the people and then makes a grant of tax relief to the priests on whom he relied for the flow of revenue to his government and for ensuring the fealty of the people to his administration.

As it says in Ecclesiastes, there is nothing new under the sun.

There are, however, always new stories, and the ones told in *The Cheating of America* were chosen to make your blood boil. They are tales of the rich and powerful who granted themselves tax relief and found themselves in battle with the IRS. Their schemes are available to anyone willing to dig through the mountain of paperwork at United States Tax Court and other government offices in search of nuggets of fact.

Through a lot of hard work, the authors and their team expose loopholes big enough for the late Larry Hillbloom to fly his DHL Worldwide Express right through. There are the schlock movie makers, best known for resurrecting Sylvester Stallone's star, who with a patina of legitimate accounting glossed over massive tax evasion, and bought a guilty plea to a mere misdemeanor. And there is the inept government pursuit of Joe Conforte, the taxi driver-cum-whorehouse entrepreneur whose Chicken Ranch made him millions of untaxed dollars, which he now enjoys in Brazil.

Oh, and the outcome of these cases? Mostly the tax avoiders won and got to go on, their pocketbooks nicked as much or more by their lawyers as the government.

While the book focuses on the way the law, and the IRS's budget and rules, are weighted in favor of rich tax evaders, there are also a few stories of big-time losers in the game of moving symbols around on a piece of paper to make tax bills vanish. One of them is Gary K. Bielfeldt, a speculator in Treasury-bill futures from Illinois corn country who amended his tax returns to label himself a dealer, rather than a trader, in the government debt markets. He asked for a refund of $81 million and ended up paying $50 million extra and now says the world would be a better place if someone would eliminate the IRS.

As an exposé, this book is a first-rate read. Unfortunately, while it is superb at turning up the heat, it is less good at throwing light on the forces at work beyond the court records.

Take the tale of George B. Kaiser, an Oklahoman who drives around in jalopies and who in 1989 reported a taxable income of just $11,669. The authors note that his taxable income was less than what the typical full-time bank teller earned in adjusted gross income. Despite using different measures of income, the comparison is apt; that same year Kaiser bought himself

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a bank for $61 million.

The bank had been run into the ground when he was on its board and then was resuscitated by the Federal Deposit Insurance Corporation. After Kaiser bought it, he returned it to such glowing financial health that his investment quickly ballooned 15-fold to nearly a billion dollars. Meanwhile, from 1986 through 1991, he reported an average of $860,000 in *negative* income. Amazingly, five of those six years were after the 1986 Tax Reform Act, which demolished tax shelters.

Unexamined, however, is whether the government rules that let rich folk like Kaiser get by have any economic or social rationale behind them. Is there any justification for these ploys that the rich exploit? Kaiser, for one, appears to be obeying the rules, although he has used the considerable political power his wealth brings to get some of those rules refashioned to his liking. Still, is there a rationale for the rules that have so richly rewarded Kaiser, made Ken Dart a resident of Belize, and moved so many manufacturing jobs overseas? Or, like the designated-hitter rule, are these tax rules pure abominations? Lewis et. al don't say.

THE CHEATING OF AMERICA
by Charles Lewis, Bill Allison, and the Center for Public Integrity
William Morrow, $25.00

IF AMERICANS REALLY UNDERSTOOD THE INCOME TAX
by John O. Fox
Westview Press, $30.00

In John O. Fox's book *If Americans Really Understood The Income Tax*, we get insight into the issues that underlie the outrages articulated in *The Cheating of America*.

Like the Center for Public Integrity's investigative team, Fox thinks politicians have unfairly tilted the tax code for the rich. Laws have been crafted that dribble out benefits to the many while reserving the big grants of tax relief to those with the resources and skilled advisers to navigate through a rough sea of complex rules and into a safe harbor of legal tax avoidance.

Fox, a Washington tax lawyer, throws a great deal of light, and virtually no heat, on these issues even though he makes it clear that he has an agenda not much different from that of Lewis and Allison. Fox sees a tax code overwhelmed with inequities. But he also sees the reasons those inequities got there, including the economic theories at work.

Fox neatly describes the basic issue and then, with meticulous organization and clarity, explains the underlying issues. Here his work is invaluable.

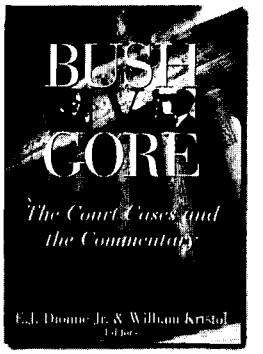
And, admirably, he shows excesses in the cases made by advocates from various viewpoints, including those he favors. He favors progressive rates in which those who make the most pay higher marginal rates, but he faults liberals for giving short shrift to classical economic theorists who say that lower rates will bring greater wealth, more opportunities, and more overall income. Many leading advocates on tax policy often avoid substance, assisted by far too many in the Washington press corps, including both kinds of broadcast reporters: The many actors posing as reporters and the competent journalists who, in the struggle to get air time, must present sound bites instead of sound insights. And not a few reporters have adopted the language of advocacy, instead of the neutral language of journalism, as in those who substitute the "death tax," sans quote marks, for the estate tax.

Fox understands that the average member of Congress knows about as much about tax policy and administration as the average bank teller knows about running George Kaiser's bank. Of course, your average bank teller doesn't make tax law. Fox wants to change that by translating the arcane language of tax into plain English and then explaining the principles of tax in concise and illuminating language.

His book, read carefully, could equip even average people to educate their lawmakers about basic tax-policy fairness.

Fox is weakest on the mortgage-interest deduction and others subsidies for homeowners, yet even here he is very good. He shows how the middle class's favorite tax break is overwhelmingly a benefit to those who make more than $200,000 a year, and how

Equal Protection or Fuzzy Justice?



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the subsidies distort the housing market in painfully expensive ways. Fox would retain subsidies, but he would replace the interest deduction with a tax credit, which means rich and poor alike get the same dollar-value subsidy, and he would cap the subsidy at a mortgage on a $100,000 house. The effects of such a shift on housing prices in the short run, the pain that ceiling would cause in urban markets and whether any fixed cap is a good idea in tax policy, deserve much more analysis than Fox provides.

Overall, Fox favors broadening the tax base so rates can be lowered. As he notes early on, one way to look at taxes is through two doors, one marked "the tax-all room" and the other labeled "the tax-haven room." In 1997, more than $3.4 trillion in individual income passed through the "tax-all" door while nearly as much, $2.9 trillion, passed through the tax-haven door.

Not all tax favors flow to the rich or even to the middle class. The top one percent, the richest 1.25 million taxpayers (most of whom are married couples) pay more than a third of all income taxes. If their income keeps rising at eight times the rate of everyone else, they will pay a much larger share in just a few years. A family of four does not pay income taxes until it makes about $28,000, provided it applies for the earned income tax credit, a form of negative income tax that has done more than any other government program in recent years to lift people out of poverty and to encourage work.

Yet many people believe that they work until mid-May just to pay taxes because of the "Tax Freedom Day" publicity stunt, which innumerate reporters fall for every year. The fact is that those on the bottom half of the income ladder have earned a year's worth of federal income taxes before January runs out and many of those on the lower rungs who have children and apply for the negative income tax do not work a minute to pay income taxes. In a country with marginal income tax rates that range from less than zero to 41.05 percent, Tax Freedom Day endures only because most journalists have forgotten their junior-high math and do not seem to mind that their ignorance makes them look, well, ignorant.

Near the end of their book, Lewis and Allison ask a series of questions that "no one in Washington is particularly able or anxious to answer."

They urge voters to contact their lawmakers and demand that they say if they favor "upholding the current tax laws today for all Americans? Politicians should be asked bluntly whether or not they favor increased enforcement of the existing laws. Do they think the poor should be audited more often than the rich? Should billionaires be able to renounce their U.S. citizenship to avoid taxes, and still be able to return home for months on end because the law barring their re-entry is rarely, if ever enforced? Expect considerable squirming, hemming, and hawing."

I think not. How easy it would be for our legislators to answer the first question by saying that, of course they favor upholding the laws, casting off another sound bite on their unwavering support for law enforcement. Our elected representatives in both parties have already told us, with the budgets they have adopted, the real answer. They want very little enforcement of the tax laws, except against the working poor. As the spokesman for House Speaker Dennis Hastert said recently, there is no clamor on Capitol Hill for more income tax audits.

The advice in both of these books, that citizens get involved in their government and give voice to their concerns and outrages, is sound. But just how would an ordinary citizen go about asking her representative, much less her senator, for an audience? Many of our elected representatives complain that they spend more time than they want with the donor class, though not so much that they have exercised their power to banish them to the far rooms of the public's house on Capitol Hill. Many have, however, supplemented the old round file, and the boilerplate response letter, with voice mail and Internet baskets that can filter unwanted contact into the digital round files and boilerplate email of our silicon age.

After you have filled yourself with outrages from the first of these books and taken a quick course in tax policy from the second, try getting an appointment to tell your lawmaker face-to-face just what you think about the design of our tax system and what you think ought to be done about it. If you are John Q. Citizen, instead of John Q. Donor, lots of luck. As with the pharaoh who had his tax policy writ in stone many centuries ago, Mr. Citizen will discover that tax relief goes first to those who, like the priests of ancient Egypt, ensure that the leader retains his position.

DAVID CAY JOHNSTON *covers the IRS for* THE NEW YORK TIMES.

Uncharted Waters

By Jay Mathews

IN THE SUMMER OF 1997, AS COOL wisps of fog swept across Berkeley's warm hillsides, Bruce Fuller kindly agreed to come indoors and host a week-long summit conference on charter schools. Fuller is an associate professor of education and public policy at the University of California at Berkeley. He has a sharp eye for the contradictions in education policy and a well-developed sense of humor, which he needed once the conference got underway.

After presenting what he thought was an even-handed account of the strengths and weaknesses of the charter school movement, Fuller found speakers for rival factions gleefully uniting to skin him alive. The director of an ultra-conservative San Francisco think tank asked why he was so worried about faith-based charters being publicly accountable. "Isn't it time that we really question the wisdom of separating church from state?" the man asked. The next questioner was the parent organizer of a Los Angeles charter school. He took Fuller apart for making critical points that the young man thought smelled of the rotting educational establishment.

Fuller decided to assemble the thinking of others like himself caught in the middle of the often information-starved debate. The number of charter schools—tax-funded institutions that operate independently of

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public school bureaucracies—was growing rapidly, especially in California. But no one knew if they were doing much good. Fuller worried that their popularity foretold the disintegration of the public school system and the sense of community that was a vital part of growing up in America.

INSIDE CHARTER SCHOOLS: The Paradox of Radical Decentralization
edited by Bruce Fuller
Harvard University Press, $29.95

In this book Fuller offers six essays—as much works of journalism as they are academic pieces—on six very different charter school experiments. University of San Francisco Professor Patty Yancey looks at the growth of the El-Hajj Malik El-Shabazz Academy in Lansing, Michigan. Teachers and graduate students Edward Wexler and Luis Huerta recount the difficult history of the Latino Amigos Charter Academy near Oakland. *New York Times* reporter Kate Zernicke describes the creation of a charter school in an affluent suburb of Boston. UCLA Professor Amy Stuart Wells and research associates Jennifer Jellison Holme and Ash Vasudeva probe the difficulties of a wealthy Southern California suburb that created a charter school and invited in transfer students from less affluent minority neighborhoods. Huerta tells how Sierra foothill Christians and Bay Area libertarians produced a charter school for homeschoolers. And California State University, Humboldt, Professor Eric Rofes relates the bizarre story of how farmers and teachers in depressed rural Minnesota created a school organized as a cooperative.

Fuller deftly ties the grab-bag together with his own opening and closing thoughts on the philosophical and political tension between allowing free-thinkers to experiment and maintaining a community commitment to free and equitable education for all. "In experimenting with radical decentralization, we must avoid eroding the basic tenets of civil society in ways that weaken the state's ability to attack the underlying causes of low achievement and mediocre public schools," he says. "If charter schools prove not to be an effective piece in the school reform puzzle but only a colorful distraction, we will have squandered the energy of many engaged parents and teachers, and the democratic state's unifying spirit will have been diminished."

The impression left by these case studies fits the research so far: Charter school children, as a whole, are not doing any better than similar children in regular schools. Nor is there much evidence that the growth of charter schools is making regular schools better. Charter-school advocates have long said that regular schools would be forced to respond to the competitive pressure, but regular-school improvements in recent years seem largely motivated by new state learning standards and tests, not the new charter schools in the neighborhood.

The book provides a useful benchmark for a movement that in many ways is just getting started. Fuller places its beginning in 1988, when American Federation of Teachers President Al Shanker first publicized the ideas of educational innovator Ray Budde. There are some disquieting insights, such as the fact that the charter schools with the most disadvantaged students seem to have the greatest organizational and financial problems. But the book also offers some fresh ideas, like the Minnesota New Country School profiled by Rofes.

In September 1994, the charter school opened in two storefronts in Le Sueur, Minn., with 75 students. Instead of the four teachers being employees of the local school district or of the company running the school, the usual charter school set-up, they were organized as the EdVisions teacher cooperative, inspired by agricultural cooperatives of that area. They were the legal owners of the educational program of the school, free to sell their time and expertise to others as they saw fit.

The book indicates such innovative approaches are not the rule in every charter school. Some traditional teaching is done because that is what the parents and faculty want. But it is hard to imagine experiments like EdVisions being launched anywhere but a charter. One can hope, however, that radical decentralization, whatever its flaws, will serve as a laboratory for a variety of original devices that all schools may someday find useful.

JAY MATHEWS *is an education reporter and columnist for* THE WASHINGTON POST.

Math Sheik

By David J. Garrow

BOB MOSES IS ONE OF THE most famous veterans of the Southern black freedom struggle. A legendary organizer for the Student Nonviolent Coordinating Committee (SNCC), Moses headed up SNCC's work in Mississippi and was the guiding force behind the 1964 "Freedom Summer" project that culminated in the unsuccessful effort to seat an integrated Mississippi delegation at the 1964 Democratic National Convention. Soon after that defeat, Moses left SNCC and moved, first to Canada, and then to Tanzania, remaining away from the United States until 1977.

Both in the years before he joined the Southern struggle and during his years in Tanzania, Bob Moses worked as a math teacher. Once he returned to the states, Moses re-entered the Harvard Ph.D. program he had dropped out of 20 years earlier. When he expressed disappointment with the insufficiently challenging level of mathematics instruction his eldest daughter was receiving in the eighth grade of a Cambridge public school in 1982, her teacher responded by inviting Moses to become a volunteer algebra instructor in her classroom.

Thanks in part to an unsolicited five-year grant from the MacArthur Foundation, Moses used his voluntary teaching as a springboard toward building what by the mid-1980s was officially christened "The Algebra Project": a program designed to allow all high school students access to college-prep level mathematics by introducing them to the principles of algebra during the sixth, seventh, and eighth grades.

Radical Equations is the story of how the Algebra Project has developed and expanded over the past 15 years. Written primarily by Moses's one-time SNCC colleague Charles E.

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Cobb, Jr., the book details why Moses assigns such importance to middle-school algebra instruction and explains the powerful linkage Moses sees between a present-day mathematics curriculum that challenges students to devote themselves to academic schoolwork and the political-organizing legacy of the Mississippi voting-rights movement.

The first part of Moses' case is straightforward: "Economic access and full citizenship depend crucially on math and science literacy," yet in much of America, "illiteracy in math is acceptable the way that illiteracy in reading and writing is unacceptable." Moses's goal of making college-level mathematics accessible to all high school students is, however, only an initial step toward a broader agenda. "The Algebra Project is first and foremost an organizing project—a community organizing project—rather than a traditional program of school reform," he and Cobb emphasize.

RADICAL EQUATIONS: Math, Literacy, and Civil Rights
by Bob Moses and Charles E. Cobb, Jr.
Beacon Press, $21.00

Moses wants to motivate his young students to demand a first-rate education both from their communities and from themselves. *Radical Equations* frankly acknowledges "the huge problem we have in the schools," but goes on to describe how some of the young alumni of early Algebra Project classes are now having better success than their elders at recruiting other young people into the program. By making "algebra 'cool,' a hip thing for other young people," the small band of alumni are able to recruit "teenagers committed to after-school and weekend study at the expense of their regular pleasures." For Moses, the nascent political potential of this commitment is huge. "The only ones who can really demand the kind of education they need and the kind of changes needed to get it are the students, their parents, and their community," as distinct from simply "well-intentioned, 'radical' reformers." Can the young people "create a culture in which they begin to make a demand on themselves and then on the larger society?" Moses and Cobb ask.

Starting in 1992, the Algebra Project began to focus much of its energies on Mississippi, and Moses recruited his one-time co-director of the 1964 Freedom Summer Project, David Dennis, to head up this new Mississippi project. In a foreword to *Radical Equations*, Dennis discusses how, in launching the Algebra Project in Mississippi: "We started with the kids. The kids then pulled in their parents." This, of course, is exactly the same method that Moses used in 1961, when he first went to the southwest Mississippi town of McComb to initiate SNCC's organizing work in what was then the most dangerous Southern state. Dennis correctly notes that "the 1960s movement in Mississippi and across the country was driven by the young people," and he and Moses clearly envision how the Algebra Project could serve as a political spark-plug. They would just need enough young people to become convinced that the quality of education that America's public schools afford them is an issue around which they and their families ought to organize.

Radical Equations traces the experiences that Algebra Project programs have had in a variety of American school districts and admits how "we have had our ups and downs with school administrations" all across the country. Moses himself now spends much of his time teaching in a Jackson, Mississippi, middle school not far from where his one-time Mississippi colleague Medgar W. Evers was assassinated in 1963. Moses remains a soft-spoken and ascetic figure, someone whose entire movement experience has taught him that encouraging people to articulate their own demands is a far more profound and radical course of action than telling them what is in their own best interest. Now, 40 years after he first went to McComb, Bob Moses's upper-most principle of teaching and organizing remains what it was then: "Work with people and leadership will emerge."

DAVID J. GARROW *is the Presidential Distinguished Professor at Emory University's School of Law.*

Trading Places

By Jennifer Bradley

IN 1956, ECONOMIST CHARLES Tiebout published a short article introducing the notion of "the consumer-voter," a person who chooses where to live based on local government services and the taxes levied to pay for them. His idea was powerful and, as the suburban era continued its crescendo, it applied to more and more Americans. People were shopping for entirely new communities, not just nicer apartments.

And, particularly if they were white, people had a lot of choices. Cities in the 1950s were morphing into large metropolitan areas. Cheap mortgages and new highways allowed people to break, or at least loosen, the tight link between the jurisdictions in which they lived and the ones in which they worked.

The New Geography presents readers with what happens when Tiebout's consumer-voter meets the technological realities of e-mail and cell phones. The links between work and home become, if not more tenuous, certainly more complicated, and the choices available to talented, educated people multiply exponentially. Where you work is now largely determined by where you want to live, rather than vice versa. This ability to choose widely, based not on Tiebout's package of local government services, but on a much broader set of lifestyle criteria, is "reshaping the American landscape."

Although the book's author, Joel Kotkin, a right-wing-ish academic and commentator, does not mention Tiebout, he is drawn to Tiebout's basic theory. Kotkin fervently believes in the power of basic economic concepts to explain sweeping social trends. His long list of professional affiliations also suggests a certain ideological bent. Kotkin is a fellow at Pepperdine University's public policy school, at the libertarian-minded Reason Public Policy Institute, and at the Milken Institute. He also works as a newspaper columnist and "director of content" at a high-tech venture-capital firm. In other words, he is a very successful entrepreneur of ideas, and entrepreneurial folks like him populate his book.

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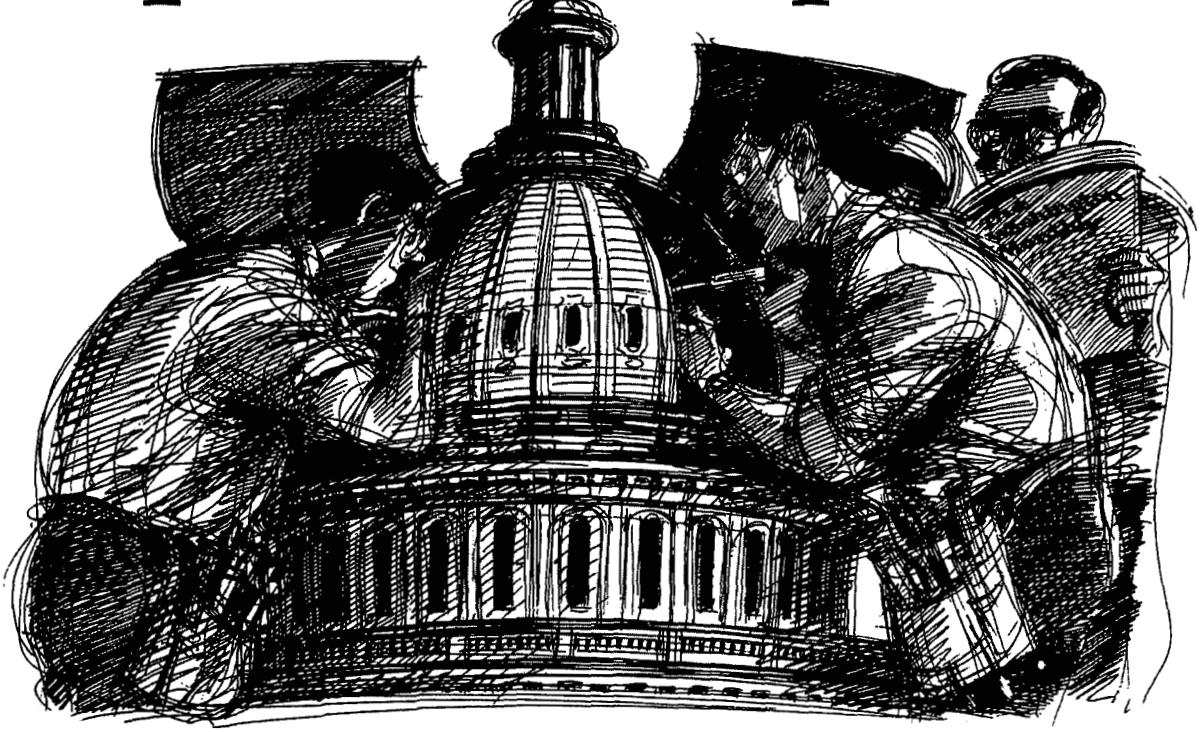

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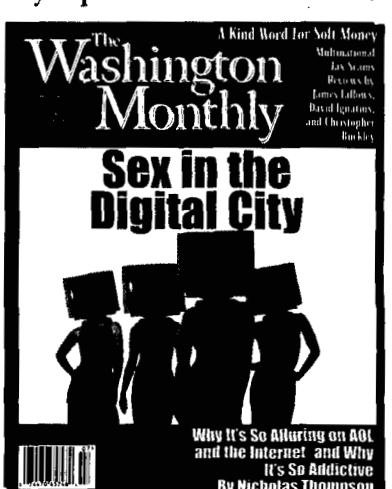

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Kotkin argues that "increasingly, companies and people now locate not where they must but where they will." Industry is no longer reliant on region-specific natural resources or heavy, unwieldy materials that have to be unloaded at a port, rail terminal, or other fixed point, but rather on highly mobile human skills and intelligence. This means, at least in theory, that a large and growing number of enterprises can operate anywhere at all—or anywhere talented people are willing to go.

THE NEW GEOGRAPHY: How the Digital Revolution is Reshaping the American Landscape
by Joel Kotkin
Random House, $22.00

Kotkin does not argue that people will never have to pack up and move for the sake of a job. But when they do, the brightest among them will have scores of places to choose from. Most of Kotkin's book is devoted to categorizing what those choices are. There are "Valhallas," the rural retreats of the techno-wealthy; "nerdistans," sanitized, comfortable burgs that attract computer geeks and venture capitalists; and the "artful city," full of black-clad creative types and clever small businessmen.

Kotkin's strength is that, unlike many breathless techno-cheerleaders, he reminds readers that for every place he describes, there is an unchosen counterpart. Every Jackson Hole or Park City is matched by a depressed small town that is slowly dying. The suburban computer meccas of Irvine and Austin have a photonegative image in the scores of decaying inner-ring suburbs around Minneapolis or Chicago, the "midopolises" that are now afflicted with all the urban problems that their residents thought they had escaped. And while Los Angeles, New York, and Chicago thrive, St. Louis, Baltimore, and Philadelphia are—at best—"Potemkin Cit[ies] that provide a patina of prosperity against a backdrop of persistent and perhaps irreversible decline."

Kotkin's weakness is his explanation of how places can succeed in the new market. He writes early on in the book that "communities can only survive and prosper by being something more than soulless zip codes—and they can be more only by fostering a sense of connectivity—in human bonds, not just electronic links. More than anything, this reclaimed sense of civic spirit, not technology or government intervention, will determine how future communities secure their place in the geography of the digital age."

Yet what follows is 150 pages of stories of people who slipped the human bonds that connected them to one community and skipped off to another when it suited their individual needs. This is Kotkin's conundrum: How can civic-mindedness and common purpose thrive in the marketplace of places? The marketplace's values are those of choice, change, and extricability. If our neighborhood changes, or we want something new, we can pack up and move. There is no reason to stay with something that does not suit us, and no imperative to try to change something that has ceased to please.

This is a troubling way to think about places because we are not only consumers, but citizens. Citizens create, shape, preserve, and then reshape communities. Shoppers, by contrast, take, discard, and choose anew. This is not to say that the market and choice are bad and that community and fixedness are good. But negotiating them is a very complicated, very modern, and very American difficulty.

But Kotkin doesn't negotiate between the two; he see-saws between them. Kotkin writes serious sentences about the need for civic commitment, but buries them under pages of enthusiasm for the disruptive forces of entrepreneurship, mobility, and competition. It is hard to take him seriously when he says that "healthy twenty-first century communities will be those that can develop a sense of common purpose," because he has not bothered to show us any genuinely effective examples of common purpose at work.

"As people and advanced industries hunt the globe for locations," he writes in his conclusion, "they will seek out a new kind of geography, one that appeals to their sense of values and to their hearts, and it is there that the successful communities of the digital age will be found." Kotkin means, of course, moral and civic values, but throughout his book, he gets moral and market values tangled up. Common purpose and community end up as nothing more than marketing tools.

JENNIFER BRADLEY *is a senior policy analyst at the Brookings Institution's Center on Urban and Metropolitan Policy. The views expressed here are her own.*

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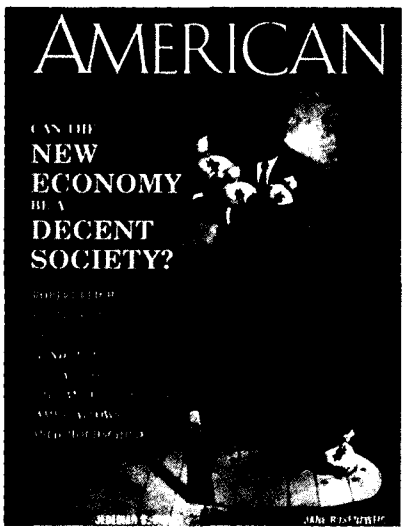

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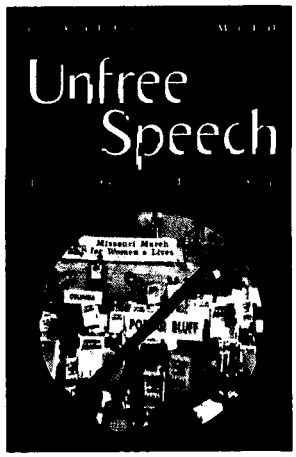

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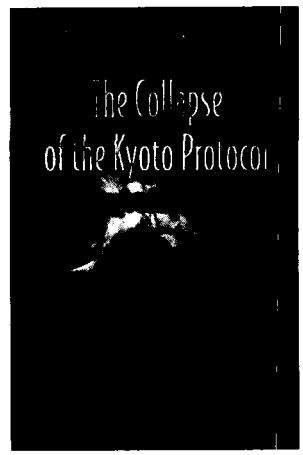

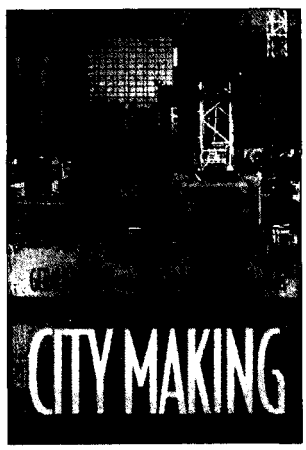

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